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1949

DEPARTMENT OF EXTERNAL AFFAIRS
OTTAWA, CANADA

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To His Excellency
The Governor General in Council

YOUR EXCELLENCY:

I have the honour to lay before your Excellency the attached annual report, "Canada and the United Nations, 1949".

I have the honour to be, Sir,

Your Excellency's obedient servant,

L. B. PEARSON
Secretary of State for External Affairs.

OTTAWA, March 24, 1950.

FOREWORD

Except where specifically stated otherwise, this Report deals with the activities of the United Nations and the specialized agencies from January 1 to December 31, 1949. Readers desiring a more detailed account of the earlier history of the various items discussed are requested to refer to the three previous volumes in this series: "The United Nations, 1946", "Canada at the United Nations, 1947", and "Canada and the United Nations, 1948", which are obtainable from the King's Printer, Ottawa, for the sum of fifty cents per copy.

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PREFACE

Canadian Representation at the United Nations

The Permanent Delegation in New York

When Canada began its two-year term as a member of the Security Council on January 1, 1948, the Canadian Government decided to establish in New York a Canadian Permanent Delegation to the United Nations. The Delegation fulfils two main functions. It is called upon to represent Canada on most of the United Nations bodies meeting in New York; and it has important responsibilities for liaison with the United Nations Secretariat and with the permanent delegations maintained in New York by other member governments.

During 1948 and 1949, the Delegation represented Canada on the Security Council; on the Atomic Energy Commission (of which Canada is a permanent member); on the Commission for Conventional Armaments (on which Canada served during its term on the Security Council); on the Interim Committee, on which all fifty-nine member states have the right to be represented; and on a number of other commissions, special committees and sub-committees to which Canada was elected from time to time. The Chairman of the Permanent Delegation and the small group of three or four advisers also serve as a nucleus of Canadian representation to the annual sessions of the General Assembly, where their specialized knowledge and personal contacts provide valuable experience and continuity.

Although Canada's two-year term on the Security Council ended on December 31, 1949, there is no intention of withdrawing Canada's Permanent Delegation from New York. For one thing, the Government will continue to require observer reports on the activities of the Security Council. For another, Canada's election to a second three-year term on the Economic and Social Council, beginning January 1, 1950, has in itself conferred certain responsibilities on the Permanent Delegation.

Apart, too, from the broad range of its representational duties, the Permanent Delegation performs a liaison function which is perhaps its most important single task. The headquarters of the United Nations in New York has become a highly important diplomatic centre. Some fifty member countries maintain permanent representatives to the United Nations who, as a general rule, exert considerable influence on the foreign policies of their governments. There are few diplomatic capitals from which it is possible to derive such a steady and authoritative flow of first-hand information on political, social and economic issues of international concern. In addition to this association with representatives from other member countries, the Delegation also maintains very useful contact with the United Nations Secretariat. In the performance of these important liaison duties and in its representational functions, the Permanent Delegation ensures the protection of Canadian interests at the United Nations, keeps the Government informed on international developments over a wide range of subjects, and acts as a link providing continuity and balance at conferences held throughout the year under the auspices of the United Nations.

The Permanent Delegation in Geneva

Although the original intention was to centralize all United Nations activities in one place, the headquarters of specialized agencies have been established in various centres. Geneva, in particular, has now assumed an importance as a centre of United Nations affairs second only to that of New York. Such is the volume of work being done in Geneva that an office was established in the autumn of 1948 for a Permanent Representative of Canada at the European headquarters of the United Nations. During 1949 this office had a small staff under the direction of a Secretary. The principal function of the Geneva office is that of liaison with the European Office of the United Nations and with the headquarters of those specialized agencies (ILO, IRO, ITU, WHO) which are situated in Geneva. At the same time the office keeps in touch with the work of the Secretariat and with the representatives in Geneva of other participating countries in order to assist in the development of Canadian policy.

A substantial proportion of the work done by the office at present is in connection with the large number of United Nations and other conferences which are held in Geneva or in the immediate vicinity.* The staff in Geneva is at present too small to provide the nucleus of delegations in the way in which this is done by the larger Permanent Delegation in New York. During 1949, however, the Secretary assisted wherever possible on delegations and acted as Canadian observer at meetings of such United Nations bodies as the Economic and Social Council and the Trusteeship Council, of which Canada was not a member. The office has proved most helpful in providing communications and other facilities for Canadian delegations and in making arrangements for accommodation and transportation.

The Working of the United Nations

A comprehensive chart showing in graphic form the relationship between the various organs of the United Nations will be found in an appendix to this volume.** It may be of interest, in addition, to describe something of the methods by which three of the most important organs of the United Nations conduct their business, and something of the atmosphere in which they function. These organs are the General Assembly, the Security Council, and the Economic and Social Council. The United Nations Secretariat is also briefly discussed in this section.

The General Assembly

Unlike the Security Council, the General Assembly is not in session continuously throughout the year. It is nevertheless the main organ of the United Nations, and all fifty-nine member states are represented***. The Assembly holds one regular session per year, beginning in September and usually lasting until the end of November or even later. It may in

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*Details of Canadian representation at all Conferences of the United Nations and the specialized agencies during 1949 are given in the Annual *Report of the Department of External Affairs, 1949,* page 94.

**See Appendix 38, pp. 304-305.

***Membership of the United Nations and of all the specialized agencies is given in Appendix 37, pp. 300-302.

Members of the main organs and subsidiary bodies of the United Nations are listed in Appendix 39, pp. 307-311.

addition call a "special" session such as that summoned to discuss the Palestine question in March 1948; or alternatively, a second part of a session, such as that held in New York in April 1949 to complete items which had to be postponed from the Paris meetings in the autumn of 1948, may be arranged.

The General Assembly has six main committees which deal respectively with political, economic, social, trusteeship, administrative and budgetary, and legal questions. At the beginning of each session, the members elect their president, seven vice-presidents and the chairmen of the six main committees. (In 1948 and 1949 it was found necessary to establish a seventh, the so-called Ad Hoc Political Committee, to relieve the First Committee of part of its heavy work-load of political items). The officers thus elected become automatically members of the General (or Steering) Committee, which reviews the provisional agenda in the early days of each session and makes a report to the full Assembly recommending the items which in its view should be retained on the agenda. The first few meetings of the full Assembly take place for the purpose of allocating the various agenda items to the main committees. This done, several subsequent meetings of the Assembly are devoted to a general debate, in the course of which the chairman of each member delegation has the opportunity of making a general policy statement on any or all aspects of the international situation, and of foreshadowing the position which his delegation will take on matters with which it is especially concerned.

Within approximately one week of the opening of each session, the Assembly splits up into its six (or seven) main committees. Their first task is to decide upon the order in which they will consider the items allocated to them. Having done this, they discuss these items one by one, in an atmosphere which is much less formal and more conducive to the give and take of debate than that of the General Assembly itself. Frequently a number of proposals are submitted which are at variance with one another, and in the majority of cases in most committees the course of the debate reveals a marked cleavage between two or more opposing factions. Sometimes the subject matter is such that differences can to some degree be reconciled in the form of a compromise. More often, particularly on political items, the fundamental disagreements between the Communist and non-Communist delegations preclude the achievement of such compromises and result in the adoption of a proposal which is vigorously opposed by a small minority. Whatever the nature of the discussion on each topic, a committee concludes each item by voting on some or all of the resolutions or amendments which have been tabled, and by adopting one or more draft resolutions which it submits in the form of a recommendation to the full Assembly. These draft resolutions require approval by the Assembly, sitting in what is known as a "plenary meeting".

Plenary meetings and committee meetings are similar in the sense that all fifty-nine member states are represented in both. Here, however, the similarity ends. Committee meetings are the scene of detailed preparatory discussion where delegates attempt to reach solutions to the issues which divide their governments, and where proposals are prepared for consideration by the parent Assembly. It is in the plenary meetings that the Assembly gives its final stamp of approval or refusal to these proposals. Plenary decisions on important matters of substance, moreover, require a two-thirds majority of those members present and voting, in contrast to committee recommendations which may be passed by a simple majority.

Occasionally, proposals advanced by committees are reversed and too often much of what has been said in committee is repeated in plenary.

Most meetings both of the full Assembly and of the main committees are open to the public. Plenary meetings take place in the General Assembly Hall at Flushing Meadow, Long Island, pending completion of the United Nations Permanent Headquarters. Delegations are seated according to an alphabetical arrangement, facing a speaker's rostrum behind which the President of the Assembly, seated on a high dais, presides. Speakers deliver their statements formally from the rostrum after they have been "recognized" by the President. Speeches are delivered into a microphone and are simultaneously translated into the five official languages—Chinese, English, French, Russian and Spanish. Delegates, members of the Press, and public alike are equipped with adjustable receiving sets and earphones.

While the Assembly in plenary session tends to conduct its business through a series of formal statements, the main committees, which like the Security Council meet at Lake Success, work in a more informal, matter-of-fact atmosphere. Each delegate occupies a seat behind the name plate of his country around an oval-shaped table in the centre of the room. He speaks, in the name of his government, into a table microphone rather than from a rostrum. Directly behind him sit one or more advisers. The duties of advisers vary from one delegation to another. Normally, however, advisers are expected to have a detailed knowledge of the item under discussion, to understand the possible significance of the various proposals advanced, to have ideas on what their delegation should do on each subject before the Committee, to produce the right document or paper at the right time, and above all to have a clear understanding of the position which their representative has been authorized to take on the item being debated. Frequently, too, an adviser may be required to assist in the preparation of statements to be given by his delegation.

Much of the preparation which each delegation is required to undertake in order to follow and participate in the committee debates might not be readily apparent to a casual visitor. Almost certainly, however, he would be impressed by the variety of topics under discussion on any one day during Assembly sessions in the committee debates. If, for instance, he had visited the most recent session of the Assembly in the autumn of 1949, he might have heard in one conference room a contentious discussion on the conflicting proposals for the international control of atomic energy; and next door a scholarly dissertation in the Legal Committee on the rights and duties of states. In another room, he might have listened to delegates discussing measures to help the underdeveloped countries of the world to become economically self-sustaining; or plans for improving the lot of the peoples in non-self-governing territories; or ideas on what to do about the thousands of refugees and displaced persons who still have not found a permanent home. As in the plenary meetings, discussions in committee are translated into the five official languages by interpreters whose simultaneous translation is one of the most impressive and valuable features of United Nations debates.

Canadian Delegations to the General Assembly

This sketch of the various bodies of the General Assembly in action may be extended to include a brief explanation of how the Canadian Delegation fits into the framework which has been previously described.

Normally, a Canadian Delegation to the General Assembly consists of five representatives, five alternate representatives, some ten advisers, two information officers, together with secretaries, clerks, security guards, and other administrative staff. It is the usual practice for the Secretary of State for External Affairs to act as the chairman of the Delegation. Representatives and their alternates are usually Members of Parliament, Senators, or senior civil servants, while the majority of advisers are drawn from the Department of External Affairs.

The Canadian Delegation, like most other delegations, holds a daily meeting each morning before its members leave New York City for Lake Success or Flushing Meadow. Reports are given on the meetings of the previous day, and decisions are taken or questions referred to the Department of External Affairs in Ottawa as to the attitude which the Delegation should adopt on the subjects which are about to be discussed in the Assembly. In the course of these meetings the members of the Delegation have an opportunity to express their views on the business before the Assembly.

At the end of the day reports are sent to Ottawa; statements are drafted for use the following day; and other delegations are consulted as occasion demands.

The Security Council

By Article 20 of the United Nations Charter, the Security Council has "primary responsibility for the maintenance of international peace and security", and to this end acts on behalf of all members of the United Nations. The Council consists of five permanent members (China, France, the United Kingdom, the United States, the Union of Soviet Socialist Republics), together with six non-permanent members elected for two-year terms. At the Fourth Session of the Assembly, in October 1949, Ecuador, India and Yugoslavia were elected to succeed Argentina, Canada, and the Ukrainian S.S.R., which were due to retire at the end of 1949. The three new non-permanent members will join Cuba, Egypt and Norway, which have been represented on the Council since January 1, 1949, and which in turn will retire and be replaced on January 1, 1951.

The Security Council is so organized as to function continuously, and it holds periodic meetings whenever occasion demands. It has its own Council Chamber at Lake Success, Long Island, and a similar Chamber will be installed as part of the permanent headquarters of the United Nations, now under construction on the East Side of Manhattan. The eleven national representatives on the Council occupy seats at a horseshoe-shaped table in the forefront of the Chamber. Immediately before them is a long table at which interpreters and official stenographers translate and record the discussions. To left and right a line of glass-fronted booths provide accommodation for additional interpreters, and for recording, broadcasting, and photographic facilities. The remainder of the Chamber resembles a theatre facing the Council table, with the lower tier available for the public and an upper balcony for the Press. The chairmanship of the Security Council rotates monthly by countries on an alphabetical basis. During Canada's two-year term, the Canadian Representative acted in this capacity three times, and on these occasions, in addition to representing Canada, he was required to preside over the formal meetings and to perform important functions of a mediatory nature.

The Economic and Social Council

The third important body of the United Nations is the Economic and Social Council, which holds two sessions of approximately five or six weeks' duration each year. During 1948 and 1949 one session each year was held in New York and one in Geneva. Although Canada was not a member of the Economic and Social Council during 1949, it was important, nevertheless, that the Canadian Government keep in touch with the work of the Council. For this reason a Canadian observer from the staff of the New York Delegation in the spring, and from the staff of the Geneva office in the summer, attended the sessions of the Council. Even though Canada was absent from the Council itself during the year, Canadians continued to work on some of its various Commissions.* Most of these Commissions meet in New York, and those on which Canada is represented are attended by appropriate experts from government departments in Ottawa.

The United Nations Secretariat

After the conclusion of each session of the Assembly or the Economic and Social Council, member delegations disperse and leave their permanent representatives to resume their normal responsibilities. At the same time the United Nations Secretariat must begin work under the terms of fresh directives and recommendations which have been handed down by the General Assembly. The Secretariat consists of that body of some 4000 international civil servants of all grades who form the permanent staff of the United Nations. Members of the Secretariat are taken on strength by the Secretary-General, who is bound by the United Nations Charter to recruit suitable personnel, bearing in mind that the paramount consideration is the necessity of securing the highest standards of efficiency, competence and integrity, and at the same time paying due regard to the importance of wide geographical distribution. Employees of the Secretariat are obliged to take an oath that they will not seek or receive instructions from any national government or from any other authority outside the United Nations. In addition, they must swear to refrain from any action which might reflect on their position as international officials responsible only to the Organization. The ultimate responsibility for the actions of members of the Secretariat rests with the Secretary-General, who presides over the work of the eight departments as follows: Security Council Affairs, Economic Affairs, Social Affairs, Trusteeship and Information from Non Self-Governing Territories, Public Information, Legal, Conference and General Services, and Administrative and Financial Services.

The members of the United Nations Secretariat, among whom are some 150 Canadians, perform a wide range of functions. They keep records of every meeting which takes place under the auspices of the United Nations. They prepare reports which are sent to member delegations in the name of the Secretary-General. They translate statements, speeches, and records from one language into another, and they prepare detailed studies on a multitude of subjects.

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*See "Commissions of the Economic and Social Council, Introduction", pp. 105-107.

Preparation and Coordination of Government Policy in the United Nations

Canadian policy in United Nations matters is, of course, determined by the Government itself and not by the officers of government departments. The primary responsibility for executing it rests with the Department of External Affairs, which must ensure that action taken by Canadian representatives in all United Nations bodies is consistent and in accordance with the policy laid down by the Government. Nevertheless, the principle is observed that matters coming up in any organ of the United Nations are dealt with in the first place by the experts in the government department most directly concerned. It frequently occurs that officials in more than one department may be concerned with one particular matter. In such cases, it is the responsibility of the Department of External Affairs to see that the necessary information is supplied to all concerned and to take the initiative in working out and maintaining a coordinated policy. Because of the considerable expenditure of Government funds required for Canadian participation in the various organs and specialized agencies of the United Nations, close liaison is maintained between the Department of Finance and the Department of External Affairs on all United Nations projects in which the expenditure of public funds may be involved. Instructions to Canadian delegations on budgetary matters are normally drafted in the Department of Finance for consideration by the Government, and during recent years it has been the practice for the Department of Finance to be represented on Canadian delegations to the General Assembly and other United Nations bodies.

In the specialized agencies substantive questions are usually more technical than in the other bodies and thus can be dealt with only by the technical experts in other government departments. For instance, the primary responsibility for relations with the ILO rests with the Department of Labour; for WHO with the Department of National Health and Welfare; for the International Bank and International Monetary Fund with the Department of Finance and the Bank of Canada; for the International Refugee Organization with the Department of Citizenship and Immigration and the Department of Labour, in association with the Department of External Affairs. Responsibility for the general pattern of Canadian relations with the specialized agencies rests, however, with the Department of External Affairs.

The problem of coordinating Government policy has become greater as the number of specialized agencies has been increased and as the work of all United Nations bodies, particularly in the economic and social field, has expanded, and as more and more branches of Government have been involved in United Nations activities. For this reason the Government, at the end of 1949, established an Interdepartmental Committee on International Organizations. Members of the Committee are the Deputy Ministers or their representatives of the government departments interested in the United Nations and its agencies, with a representative of the Department of External Affairs in the chair. The function of this Committee is to serve as a clearing house through which all government departments can be kept informed of the work of various United Nations bodies and major policy questions can be discussed. In this way it is intended to prevent overlapping and inconsistency and to provide a basis for a more assured and vigorous Canadian policy.

The work of the United Nations occupies an increasing amount of time of members of a number of government departments, many of which have officers whose time is entirely devoted to United Nations activities. In the Department of External Affairs responsibility primarily rests with the United Nations Division, consisting of a Head of Division and approximately six officers under the supervision of the Deputy Under-Secretary. The United Nations Division coordinates the work of the specialists throughout the Department. Initial responsibility, for example, in matters pertaining to Indonesia would rest with the Far Eastern Division, and for Kashmir with the Commonwealth Division. The Economic Division, in collaboration with other government departments, concerns itself with ITU, ICAO, and ITO, and the Information Division is responsible for UNESCO. All this work performed by other Departments of the Government and by the remaining Divisions of the Department of External Affairs is channelled through and coordinated by the United Nations Division.

I

General Survey

Gradually, in spite of the sharp political division which has fallen across the contemporary world, methods are being worked out in the United Nations and the specialized agencies which enable these organizations to undertake effective work within limited fields. Demands of unexpected importance, arising out of the very political problems which handicap the organizations, have been made on them, and their members have shown resourcefulness in a marked degree by working out techniques and procedures to meet these problems.

The adaptability, as well as the limitations, of the United Nations in existing circumstances have been best demonstrated within the field of security affairs. In the absence of agreement amongst its permanent members, the Security Council remains incapable of enforcing its decisions. The abuse of the voting procedure, which requires unanimity amongst the permanent members on all questions of substance, and the failure of the Military Staff Committee to agree upon measures for the establishment of military force under international control, are the formal handicaps from which the Security Council suffers. These limitations, however, are merely symptoms of the major difference of opinion in regard to the purposes of the United Nations and the manner in which that Organization should be permitted to function, which exists between the free democracies on the one hand and the Communist-controlled states under the influence of the U.S.S.R. on the other. In the presence of this great division, the Security Council is in the ordinary sense of the term powerless. It can at no time impose its will, and there are large areas of the world in which it is not permitted to operate at all.

In spite of these limitations, the Security Council was the instrument in 1949 through which the international community dealt with three dangerously inflammable problems—Indonesia, Kashmir and Palestine. The Security Council did not in itself produce a solution to any of these problems, and all three areas may yet be overwhelmed by the disaster which the United Nations has sought to avert. In most difficult circumstances, however, the Security Council managed in all three areas to bring an end to fighting when it occurred, and to assist the parties concerned to undertake negotiations by which, with varying degrees of success, they are proceeding towards permanent solutions.

The most effective action taken by the Security Council related to Indonesia. When the year began, a major military engagement had been undertaken in Indonesia and it seemed that nothing but a trial of strength lasting over an indefinite period would bring a solution to the political problems of that part of the world. Before the end of the year, however, an agreement had been reached between the people of the Netherlands and the people of Indonesia which gives every evidence of providing a permanent basis of settlement.

In Indonesia, as in the other areas with which the Security Council concerned itself, primary responsibility for working out a settlement rested with the parties themselves. The function of the Security Council was in the first instance to put an end to the fighting and, through the appointment of truce commissions, to assist in preventing a renewal of the conflict. In the course of a political dispute which has become inflamed to the point of violence, it is not easy to keep the peace, even when it has been possible to restore it, and in no case did the truce which the Security Council succeeded in establishing persist without occasional breaches. On the whole, however, it was possible to assist the parties to maintain conditions in which negotiations could proceed. In various ways the Security Council encouraged and facilitated these negotiations. In some cases this assistance was given by providing terms of reference under which the negotiations should proceed, in others by establishing commissions of investigation, or by making possible an exchange of views between the parties, either directly, or through a disinterested third party. In neither Palestine nor Kashmir has this procedure led to results as definitive as in the case of Indonesia. In all three cases, however, the Security Council succeeded in initiating negotiations, conducted in peaceful conditions, which have appeared at the time as the only alternative to general warfare.

The consideration of these items in the Security Council gave particular significance to the two-year term of membership which Canada completed at the end of 1949. During this period, the Canadian Delegation, and through it the Canadian Government, had been involved in decisions of great consequence concerning problems that had not previously been a matter of direct concern to Canada. The Canadian Government had also had an opportunity to study the Security Council at first hand and to consider the methods by which that body could best be put to use in present circumstances. The lessons drawn from this experience were summarized by the Secretary of State for External Affairs in his statement at the opening of the Fourth Session of the General Assembly*. He said that certain principles had emerged which the Canadian Government regarded as the necessary basis for any action which the Security Council might undertake. His statement continued as follows:

> These principles, in default of an improvement in relations between the Communist and democratic worlds, would seem to mark the limits that we can now reach. To attempt to go beyond these limits in present circumstances is merely inviting failure. The first is that the Security Council shall not initiate action that it cannot complete with its present resources. There have often been demands that the Security Council should intervene in some area or another with force, and that when fighting occurs, the Security Council should take steps to suppress it. There would be a great deal to recommend such intervention if it could be carried out firmly and quickly, but the fact is, of course, that the Security Council has at present no effective way of imposing its will. In consequence in many cases it can do little more in the first instance than call upon the parties engaged in the dispute to stop fighting and start talking, offering them the means by which they can work out a settlement by negotiation rather than by conflict. This is not a dramatic or spectacular method of procedure, but in the circumstances it has served fairly well.
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> The second principle which, in our opinion, should guide the actions of the Security Council is that to the greatest extent possible the responsibility for solving a political problem should be left with the people who are immediately

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*For the full text of the statement, see Appendix 1, pp. 207-212.

> affected by it. In respect of Palestine, Indonesia and Kashmir, for instance, it is still the case that the parties directly concerned and the people who live in the area must seek to determine the measures by which peace will be maintained in these areas. This is not only the most practical principle of action, it revives and strengthens a sense of responsibility at the point where it is most vital to healthy, political life, and it sets the objectives of an agreed, rather than an imposed solution.
>
> The third general principle which seems to us to have emerged is that the Security Council should in all cases immediately concentrate its influence on putting an end to hostilities or disorders whenever they occur. By insisting on this principle, and by insisting equally that fighting shall be stopped without prejudice to the ultimate political solution, the Security Council has been on strong ground. It has not, of course, been able to command complete obedience. Fighting has recurred even in areas where a firm truce seemed to have been established, and it has not been possible to guarantee absolutely that the ultimate outcome of a dispute would not be affected by the military action which had taken place. In general, however, the primary concern of the Security Council, that peace should be kept while negotiations proceed, has been respected and has contributed materially to the progress which has been made in the settlement of disputes. The moral authority of our world organization—which seems to be all that it is now permitted to have—is no slight thing, and no state, great or small, lightly disregards its decisions.

The General Assembly also, like the Security Council, was under the necessity of working out means by which it could deal with practical and urgent questions that were referred to it. The Assembly was not inhibited in its work by any difficulty as definitive and frustrating as the veto, but it nevertheless suffered from the political division which arose in the post-war world. It was handicapped also from other difficulties which had not been anticipated in 1945. Its rules of procedure, even in the revised form which went into effect in 1949, were not sufficiently supported by self-discipline and unanimity of purpose amongst its members. In spite of efforts to improve the rules, it was difficult to offset the effects of direct obstruction by some members or irresponsible use of the Assembly's time by others. The Assembly was still uncertain also as to the best method of carrying out its business. The political work of the Assembly during each session was found to be more than a single political committee could complete, and the practice was adopted in 1948, and continued in 1949, of establishing an Ad Hoc Political Committee for the consideration of particular items referred to it. Differences of opinion then arose as to whether debates on particular items should take place in the First Committee or in the Ad Hoc Committee, and there was also uncertainty as to whether other than political items could be referred to the Ad Hoc Committee. The manner in which a sub-committee could be used to greatest effect was also in doubt. Many questions could not be adequately disposed of in full debate in a main committee, and required detailed discussion in sub-committee. On the other hand, time was wasted when a subject was referred to a sub-committee before the general principles upon which a resolution could be drafted had become clear. Gradually, however, workable precedents were set for the conduct of business, and a few of the worst anomalies of the rules of procedure were abandoned. Progress in this respect was helped as committee chairmen became more fully aware of their responsibilities and more sure of their authority. At the Fourth Session, the general desire of the Assembly to conserve time was expressed in a further extensive revision of the rules of procedure, designed to strengthen the hands of the chairmen of committees.

Italian Colonies and Jerusalem were the most important subjects of concrete importance upon which the Assembly was required to take specific action during 1949. In both cases the distribution of territories and the government of people depended on the ability of the General Assembly to reach practicable decisions. The subject of Italian Colonies came to the General Assembly by reversion from the four Great Powers which signed the Italian Peace Treaty. It was the first occasion on which the General Assembly had the legal authority to determine rather than merely to recommend a political settlement. The subject consumed a great deal of time in the Assembly, and a special session in the spring of 1949 failed to produce a solution. Though there was some disappointment over this initial failure, it was generally agreed in the end that the additional consideration which the Assembly was able to give to Italian Colonies by holding the subject over until its Fourth Session had produced a better solution than any of those proposed when the Assembly met in the spring. The resolutions finally adopted represented a compromise amongst many points of view, and at the same time gave promise of producing a workable and effective settlement. The decision in regard to Jerusalem was similarly precise and well-developed, though many members, including Canada, doubted whether an international city could be established on the basis of the plan supported by the majority. There was, however, no lack of opportunity for thorough discussion. The situation had been extensively canvassed in a special commission appointed by the Assembly, in committee, in sub-committee, and in plenary session. It now remains for the Trusteeship Council to determine in what form the Assembly's recommendation can be put into effect.

In regard to two other questions also—the Balkans and Korea—the General Assembly has shown its ability to take practical steps in difficult political circumstances. The Assembly had no initial responsibility in regard to either of these questions, both of which were brought to it because of difficulties which had arisen between the Great Powers in the areas concerned. In both cases, however, the threat to peace and freedom was recognized and accepted as the basis for discussion in the Assembly of the two subjects. The commissions which were set up to keep watch in both areas were generally regarded as having had sufficient influence in preventing any attempt to resolve these two problems by sudden acts of violence, that the Assembly readily decided to re-establish them.

The General Assembly was also finding ways of carrying out practical policies on economic and social as well as political questions. The most striking example of a practical decision in the economic field is to be found in the resolution, prepared in the Economic Committee, for technical assistance to underdeveloped territories. This resolution grew out of the realization that the economic stability upon which peace must eventually rest was jeopardized by the existence of underdeveloped areas incapable of providing either a secure or decent standard of living for their inhabitants. The course of action for which this resolution provides a modest first step looks forward to the general acceptance of international responsibility for economic stability in the free world.

Similarly, in the Social Committee practical measures in regard to the problem of refugees were recommended, and further progress was made in the process of working out international legislation in the field of social welfare. In the Trusteeship Committee, a vigorous effort is being made to claim for the General Assembly authority in regard to colonial territories which goes far beyond the intentions expressed in the Charter. Through a special committee set up to examine information concerning non-self-governing territories, a majority of members of the Trusteeship Committee is asserting, in areas which are not included within the trusteeship system, many prerogatives which the Charter gives to the United Nations only in the case of Trust Territories. These pretensions are viewed with understandable apprehension by those powers which are responsible for the day-to-day administration of these territories, and the debates in the Fourth Committee are often difficult and disagreeable in consequence. It has not been possible, however, to prevent the Assembly, through the Trusteeship Committee, from embarking on this effort to expand its authority. A stubborn constitutional problem, therefore, lies ahead of the Assembly, for it will be necessary somehow to relate the claims of the Fourth Committee in regard to non-self-governing territories to the responsibility of the administering countries, which in many cases have held these territories for decades prior to the establishment of the United Nations and which have systematically been developing their own plans for self-government. In spite, however, of the difficulties of this adjustment, the United Nations has already found ways of contributing materially to the process in modern society by which the colonial empires of the 19th Century are being changed in character. Moreover, despite the differences which have found expression in recent debates on trusteeship questions, the Fourth Session of the Assembly gave new responsibilities to the Trusteeship Council by instructing it to devise a statute for the internationalization of Jerusalem and the protection of the Holy Places, and to draft a new type of trusteeship agreement which would provide for Italian administration of Italian Somaliland in such a way that the latter territory would become self-governing and independent ten years from the signature of the agreement.

The Canadian endeavour in the discussion of trusteeship matters at the General Assembly was to urge an objective approach which would promote the real interests of the inhabitants of dependent territories and which would at the same time avoid irresponsible interference in the work of the administering authorities. In summarizing the Canadian position at the opening of the Fourth Session, the Secretary of State for External Affairs, Mr. Pearson, stated:

> Certainly the task before the United Nations is great, and its responsibilities are likely to be steady and continuing rather than brief and episodic. For example, all three of the major subjects which have preoccupied the Security Council during the past two years are related to one great general and continuing movement. It arises out of the transformation of the colonial relationship between European people and people in other continents into a new partnership of free communities. A great tide is moving in the affairs of men, and it calls for radical and complicated adjustment in political relationships. It is not surprising that, as it takes place, it produces strains and tensions, and that some people are impatient for greater speed. But there is evidence before us every day that the process begun many decades ago is accelerating and that a completely new relationship is being worked out between the peoples of the western world and what were once called dependent areas. The United Nations is playing an important part in this process. This, I think, is one of the reasons why the world should be most grateful for the existence of this Organization today.

In the Administrative and Budgetary Committee and in the Legal Committee it was also possible to measure the growing competence of the United Nations in terms of the ability which was being developed to deal with specific practical problems. The same basis of judgment may be applied to the Economic and Social Council, the Trusteeship Council, the specialized agencies and the various subsidiary bodies which work under these organs. In some circumstances the problems which have to be overcome are functional rather than political. In the specialized agencies, for example, all but two of which do not include the U.S.S.R. as a member and which few satellite states have entered, the difficulties encountered relate to the development of coordination and consistency amongst the policies of the various bodies.* In every case, matters of substance have been taken in hand and serious efforts made to overcome the great difficulties which have been encountered in the way of reaching decisions and equally of giving them effect.

The most fundamental of these difficulties results from the fact that the ideal of universal membership on which the United Nations was founded has brought about the inclusion within one organization of a majority composed of democratic states and a minority composed of Communist ones. Thus, the United Nations is the meeting place of rival political and economic philosophies. Inevitably, this puts an ever-increasing strain on the machinery of the United Nations and makes the implementation of its purposes and principles extremely difficult. For, as we have painfully learned, these purposes and principles mean very different things to nations holding differing political philosophies. Human rights and freedoms, the self-determination of peoples, international cooperation, are concepts which throughout the civilized world have long had substance and meaning. They are, it is true, ideals which have not been fully realized in practice. The United Nations was founded with the object of bringing about their fuller realization. Since the San Francisco Conference, when the Soviet Union adhered to these purposes and principles, it has become increasingly clear that the Communists do not believe in these ideals and have no intention of working for them. They have subscribed to the language of the Charter but their own aims are at variance with its principles.

The Communist-controlled states do not believe in cooperation for the improvement in the free world of political, social and economic conditions because they do not believe improvement possible except by the adoption of Communism. Claiming as they do that society in non-Communist countries is organized on an intolerable basis of exploitation, they resist all proposals for international cooperation which serve other causes than Communism itself. They cannot work together with us for the promotion and encouragement of human rights and liberties because these rights and liberties do not exist within their own borders. Most serious of all, they are not willing to contribute to the main purpose of the United Nations—the maintenance of international peace and security. On the contrary, one of the objects of international Communism is to foment insecurity in non-Communist states, while the aggressive foreign policy of the Soviet Union threatens the maintenance of peace in many quarters of the world. This contradiction between the purposes and principles of the United Nations and the policies of its Communist members runs like a deep fissure through the Organization.

In this situation the tactics of the Soviet Delegation and its satellite delegations have been based on a bold attempt to pin the blame on others for the tension they have themselves created. By the simple expedient of repeating over and over again that the Western democracies are "war-mongers", these delegations hope to divert attention from the series of aggressive moves which have characterized Soviet foreign policy since 1945.

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*See "Role of the Specialized Agencies in the United Nations System", pp. 124-128

A further stratagem consists in the introduction of high-sounding resolutions containing the most unexceptionable sentiments of a peace-loving kind which on closer inspection are found to mask the stubborn intention of the Soviet Government not to budge an inch in the direction of practical compromise. These devices have created little or no impression within the United Nations where delegations are all too familiar with this pattern of propaganda diplomacy. Instead, they have served the purpose of disillusioning those delegations which still clung to the hope that the Communists were genuinely interested in international cooperation. The Soviet Delegation, however, may have less interest in the fate of their proposals in the General Assembly than in posing before the wider public outside as the defenders of peace.

The most striking example of these tactics is to be found in the major propaganda debate which each year is introduced into the General Assembly by the Delegation of the U.S.S.R. In 1949, this debate was inaugurated by a resolution denouncing the Governments of the United Kingdom and the United States for attempting to prepare a new war and at the same time proposing that these Governments should give their assent to ill-defined and equivocal proposals for disarmament and for the conclusion of a Five Power treaty. The representatives of the democratic countries replied that if indeed there was danger of war, the source of this danger lay in the disruptive policy and in the aggressive activities of the Government of the U.S.S.R. They embodied these views in an alternative resolution which was adopted by an impressively large majority. The debate was a manifestation of the high degree of unanimity among the non-Communist states on the principles which underlie a free society and on the necessity of defending these principles. It cannot be said, however, that the immense outlay of time and energy required to meet and offset the Communist propaganda attack in this debate made any contribution towards the purposes for which the United Nations was founded.

Similar attacks were made by the Communist delegations in debates on almost every other subject on the agenda. The discussions on disarmament and on the control of atomic energy resulted in little progress because, in both cases, the Communist delegations were able to distort the debate into an exchange of mutual recriminations, thus avoiding serious consideration of practical measures. Similar methods were used in every organ of the United Nations on which a Communist delegation sits. It is, therefore, to the very considerable credit of the United Nations that ways and means have been found of achieving results in a number of fields in spite of these efforts to reduce its effectiveness.

Of course, it should not be assumed that without Communist obstruction all would have been plain sailing in the United Nations. Quite apart from the complications introduced by the attitude of the Communist delegations, the Organization faces formidable problems. It must reconcile national sovereignty with the needs of a world community; it must balance the realities of political power with the exigencies of a Charter based on the nominal equality of all member states; it must adapt its procedure to avoid waste of time. These and many other complex questions would in any case face the Organization. The Canadian Government since the foundation of the United Nations has taken the attitude that the Organization should be capable of growth and that its constitution should be susceptible of adjustment in the light of experience. Such a developing process would be directed at attaining a really effective system of collective security. What is disturbing in the present situation is that the democratic majority and the Communist minority within the United Nations are not even moving together in this same general direction.

In default of any immediate prospect of attaining security on a universal basis the members of the United Nations which are most interested in collective security and have most to gain from it have sought within the framework of the Organization to provide means for their mutual defence. The most important example of this development was the signature of the North Atlantic Treaty in the spring of 1949. In the proceedings of the United Nations during that year, the delegations from Communist-controlled states added the fact that the North Atlantic Treaty had been signed to the many other accusations which they levelled against the nations of the free world. They declared that the Treaty ran counter to the United Nations Charter. The states which had signed the Treaty found little difficulty in demonstrating that the agreement amongst them was fully consistent with the Charter. In the political charge directed at its signatories, the Communist states ignored their own responsibility for the circumstances in which the governments which signed the Treaty were driven to enter into this defensive engagement. The references to the Treaty in the United Nations had the effect of confirming the majority of members in their belief that the Treaty increased the prospects of security and prosperity in an important area of the world. The effort, resulting in failure which it is hoped will be temporary, to attain a universal system of security could not be held to preclude a more limited attempt to defend peace and encourage political and economic stability by the governments signatories to the North Atlantic Treaty.

In his opening statement at the Fourth Session of the General Assembly of the United Nations, the Secretary of State for External Affairs said that it was necessary to make a careful reappraisal of the policies, activities and procedures of the United Nations, and in doing so to ask the question what in existing circumstances it was reasonable to expect the United Nations to accomplish. "So far as the Canadian Government is concerned," he said, "we have tried to make practicability the touchstone of our attitude towards the United Nations".

The record of the activities of the United Nations and the specialized agencies during the year 1949 which appears in this report has been prepared on the basis of this standard of judgment. In regard to the major objective of the United Nations, the prevention of war and the removal of its causes through universal collective action, it is often a record of disappointment and frustration. In other respects, however, within the more limited field of operation open to the United Nations and the specialized agencies, means have been adjusted to circumstances with creditable flexibility for so complicated a structure, and the amount that has been accomplished has been surprisingly large and varied. Moreover, whatever the record of accomplishment, the events of the first four years in the life of the United Nations have confirmed the principles upon which the Organization is based. The Canadian Government will not readily abandon the hope that these principles may be applied upon a universal basis. Meanwhile, Canadian delegations to the United Nations and the specialized agencies will continue to make the fullest contribution within their power to the effective working of these organizations in the present difficult circumstances.

II

POLITICAL AND SECURITY QUESTIONS

Elections to the Security Council

Three non-permanent members are elected to the Security Council each year for a two-year term. In the elections held during the Fourth Session of the General Assembly the following states were elected to non-permanent seats: Ecuador, India and Yugoslavia.* The election of these members was made necessary by the retirement from the Council, on the expiry of their two-year terms, of Argentina, Canada, and the Ukrainian S.S.R.

The elections to the Security Council during the session of 1949 were of particular interest because of the candidature of Yugoslavia. The U.S.S.R. and the other Communist-controlled countries of Eastern Europe were uncompromisingly opposed to the election of Yugoslavia to the Security Council and sought instead to persuade the Assembly to elect Czechoslovakia. When the elections took place, the quarrel between Yugoslavia and the U.S.S.R. had already been injected into the proceedings of the Assembly in the statements of representatives of both countries. The attempt of the U.S.S.R. to prevent the election of Yugoslavia to the Council inevitably became, therefore, a part of the general effort which the Soviet Union was making to discipline Yugoslavia for its defection from the group of Communist satellite countries in Eastern Europe.

The candidacy of Yugoslavia for the Security Council raised also the question of the principle upon which members of that Council should be chosen. In its opposition to the Yugoslav candidature, the Soviet Delegation claimed that a well-defined procedure had been established, originally in a "gentlemen's agreement" amongst the sponsoring powers of the United Nations and subsequently by the custom in earlier elections, for the choice of members of the Security Council on a regional or geographical basis. In his statements prior to the Security Council elections in 1949, Mr. Vishinsky claimed that the principle was now well established that various geographical areas should be represented amongst the non-permanent members of the Security Council, and that it should be the right of the members of the states located in each area to nominate their choice of candidate. The Soviet Union, he said, had always accepted the candidates designated by groups of states in other areas, and it expected the Assembly to accept the candidate nominated by the Communist states of Eastern Europe.

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*On the first ballot Ecuador and India received 57 and 56 votes respectively, and were declared elected. Other states which received votes on the first ballot were Yugoslavia (37), Czechoslovakia (20), Afghanistan and the Philippines (1 each). Since only two members had received the required two-thirds majority, a second vote was taken to decide between Yugoslavia and Czechoslovakia. On the second ballot Yugoslavia received 39 votes, the exact number required for a two-thirds majority. The vote for Czechoslovakia on the second ballot was 19.

Mr. Vishinsky could claim a certain justification for the first part of this principle, i.e., that representation should be upon a geographical basis, in the custom which had developed in the Assembly for elections to the Security Council. According to this custom, it was understood that the six non-permanent members of the Security Council should always include two Latin American states, one Western European state, one Eastern European state, one state from the Middle East, and one state from the British Commonwealth. It had often been the case also that, by agreement among themselves, the states of each of these areas would indicate their preference for the election of one of their members, and would agree among themselves to vote for the state which they had selected. There was, however, no constitutional provision that this geographical distribution should necessarily be observed, nor was it in any sense obligatory upon any members to accept the nomination of any particular group. In the case of Commonwealth representatives, indeed, there had been in both 1946 and 1947, active contests between two Commonwealth states for election to the Security Council. In 1947 also, one of the permanent members of the Security Council, the United States, had refused to vote for the Eastern European state which had been nominated by the Soviet Union.

The choice of Yugoslavia was the only one of the three selections which became the subject of controversy. The election of India, the only member of the Commonwealth to claim a place on the Council, was a popular choice, justified by the heavy responsibilities which India is assuming in the Far East and the important role it is playing in the United Nations. Ecuador was the only Latin American state to be put forward, and the unanimous vote of the other Latin American states made its election almost a certainty. Although it has been less active in United Nations affairs than other Latin American states, it gave assurance in accepting its new office that it would faithfully fulfil the heavy responsibilities which it was assuming. Concerning the election of Yugoslavia there were, however, many doubts. Some member states considered that the presence of a Yugoslav Representative on the Security Council would project the Soviet-Yugoslav dispute into the meetings of the Council to such an extent that other business would suffer. Other states were impressed by the Soviet claim that the election of Yugoslavia would constitute a breach of faith, and would drive the Soviet Union to reconsider its position as a member of the United Nations. On the other hand, the Yugoslav plea that they were dangerously threatened by the Soviet Union, and that their election to the Security Council would enable them better to withstand this threat, impressed many members, which at the same time considered Yugoslavia to be as responsible and active a member of the United Nations as any other in Eastern Europe. In the last analysis, many states which might otherwise have voted for Czechoslovakia were driven to accept the Yugoslav candidature by the violence with which Mr. Vishinsky proclaimed his principle that the election of any state but the Soviet nominee would be a violation of the Charter. It was generally felt that it would be dangerous to encourage the Soviet Union to believe that it could get its way in the United Nations merely by the violent and menacing repetition of its demands. At the same time, the accusation repeatedly made by Mr. Vishinsky that Yugoslavia had been put forward as an Anglo-American candidate was effectively disproved when the United States and United Kingdom Governments announced their intention of following opposite policies in the election, the former supporting Yugoslavia and the latter Czechoslovakia.

The consequences which the Representative of the U.S.S.R. threatened to visit upon the United Nations if Yugoslavia was elected turned out in the end to be of little importance. Following the election Mr. Vishinsky stated that the U.S.S.R. would never regard the choice of Yugoslavia as a legal constitutional act. There was, however, no suggestion that the U.S.S.R. would withdraw from the United Nations or cease to sit on the Security Council because of the election of Yugoslavia. In the long run the effect of the change may be to lessen the tendency towards rigidity which has been developing in regard to Security Council elections.

Elections to the Security Council are conducted by secret ballot and it is the practice of many states, including Canada, to refrain from announcing their intentions before the vote or making public, after the elections, the way in which they have cast their vote. By this means, they are able to maintain the principle that, through the secret ballot, pressure upon smaller members of the United Nations in regard to the way they vote may be avoided. Some states, and in particular the Great Powers which assume responsibilities for major leadership in the United Nations, openly announce their votes and support the candidates of their choice. Provided the right of secrecy in balloting is maintained, there can be no objection to states declaring their vote if they wish to do so. In vigorously contested elections, however, it is important that the principle of secrecy should be maintained, through its strict observance by a considerable number of responsible members of the Assembly.

International Control of Atomic Energy

Only three days after General Romulo had opened the Fourth Session of the General Assembly with the expression of his fervent hope that it might go down in history as the "Peace Assembly", President Truman announced that an atomic explosion had recently taken place in the Soviet Union. On the day of this announcement, Mr. Vishinsky made the first of a series of propaganda attacks on the Western countries, which did nothing to promote the atmosphere of compromise and conciliation for which the President of the Assembly had hoped, but intensified the acrimony of the "peace" debate, of which the international control of atomic energy was perhaps the focus, and of the atomic energy debate itself.

The deadlock acknowledged in May 1948, in the United Nations Atomic Energy Commission (of which Canada is a permanent member), had not been accepted as final by the General Assembly meeting in Paris in 1948, which had requested the Commission to see what could be done, either in the Commission as a whole or by informal meetings of its permanent members, to break new ground in an effort to reach agreement. Both methods were tried without success. The deadlock continued; but some useful work was accomplished before the Fourth Session of the Assembly met. The Atomic Energy Commission's vast documentation was organized by the Secretariat in a handier form, at the suggestion of the Canadian Representative. The majority had the opportunity, in the talks held privately among the six permanent members, to make a new approach to the whole problem by condensing their proposals into the form of a few general principles. The document*, subsequently published as a report to the Assembly by the five Western members, provided the best available summary of the reasons why the majority believe that the Soviet Union is holding up an agreement on atomic energy for political reasons, despite the fact that scientists of all countries consider the control of atomic energy for peaceful purposes to be technically feasible.

The atomic energy debates which preceded the Assembly had, therefore, stalled at dead centre. Little or no improvement in this situation can be recorded to the credit of the Fourth Session of the Assembly. Yet the undercurrent of urgency was never stronger. As a result of the discussions, the overwhelming majority of the United Nations has put itself on record as supporting the principles of the majority plan approved by the General Assembly in Paris in 1948, and has condemned by implication the alternative proposals of the U.S.S.R. which, the great majority obviously believes, offer no hope for genuine international security. But the Soviet Representative did not budge from his position.

Throughout the United Nations discussions of atomic energy, since the establishment of the Atomic Energy Commission in January 1946, it has been difficult for the majority to get any precise and detailed statement of the Soviet plan from the various representatives of the U.S.S.R. In his major speech on this subject at the meeting of the General Assembly on November 23, 1949, Mr. Vishinsky added only a few footnotes to the Soviet proposals put forward on June 11, 1947, before he turned with greater relish to the usual theme of Soviet statements on atomic energy—denunciations of the majority plan for the prohibition of atomic weapons and the control of atomic energy for peaceful purposes. The Soviet position continues to be based on the premise that a loose system of inspection is the only form of international control that is needed to give those nations which possess atomic weapons sufficient confidence to destroy their existing stockpiles.

The position which is being worked out by the majority is very different. As the Secretary of State for External Affairs said in his main statement on atomic energy to the Ad Hoc Committee of the Assembly on November 7, 1949:**

> The Soviet proposals for control admit only of fixed periodic inspections, and even that inspection is merely of such facilities as the national governments concerned may choose to declare to an international authority. The Soviet proposals also include special investigations, when there is evidence of illegal activity. But how is such evidence to be obtained? If we had enough confidence to convince us that it would be given automatically by every national government to an international agency, then we would have so much confidence we would not need any international control at all . . . .

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*See Appendix 2, pp. 212-219. Also published in *External Affairs*, November 1949.

**For the full text of the statement, see Appendix 3, pp. 219-225.

> Our position is that the only kind of inspection which will be adequate to convince people that international control plans and policy are observed is that which gives far-reaching powers to the inspectors, while providing against the abuse of those powers. They, the inspectors, will be the agents of the international conscience and the international community, and no government which is sincere in this matter of international control of atomic energy, as we all are, would want to restrict or restrain them so that they could not discharge their duties efficiently.

Developing the same theme in his major review of external affairs in the House of Commons on November 16, 1949, Mr. Pearson said:

> They (the Russians) talk loudly, especially at Lake Success, about immediate and unqualified outlawing of the atom bomb, but they refuse to participate in any scheme in which international control and inspection would be effective and adequate for that purpose. Without such control, pledges and protocol would, in the present atmosphere of international suspicion and mistrust, be worse than useless. They would be dangerous, by providing a false facade of security behind which the aggressor could develop his evil plans. We had some experience of this in the 1930's . . . .
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> The basic difficulty is of course, the Soviet fear of any contact with the west —a fear which is almost pathological. The Soviet leaders also stubbornly maintain that they cannot possibly accept any limitations of their sovereignty. We maintain, on the contrary, that we cannot afford to cling to an ancient concept of sovereignty when what we are seeking is a chance for survival. We shall never get anywhere, in our view, if we insist on talking about national sovereignty as if, in atomic matters, it were more important than national and international security, or if we consider that, by using our national sovereignty for joint action, we are losing it.

The mere restatement of the deadlock, however, was not satisfactory to any of the delegations at the General Assembly. While the impact of President Truman's announcement about the Soviet explosion was still fresh in their minds, the delegates were unwilling to admit defeat, and several suggestions for compromise were offered. As the Assembly turned to a discussion of atomic energy, General Romulo published an appeal to the permanent members of the Atomic Energy Commission pleading with them to accept some sort of stop-gap compromise agreement and offering four suggestions as to how such an agreement might possibly be reached. A resolution submitted by the Indian Representative called for the International Law Commission to prepare a draft declaration of the rights and duties of states and individuals insofar as atomic energy was concerned. A resolution submitted by the Argentine Delegate proposed "renunciation of the use of atomic weapons for purposes of aggression", and the Delegate of Haiti suggested that the Gordian knot be cut by a process of international legislation.

Although these suggestions were discussed in the Assembly and in Committee, the delegates did not think that they were competent to pass judgement on such matters until they had been more carefully examined, and supported instead a resolution* introduced by the Canadian and French Representatives calling upon "the permanent members of the United Nations Atomic Energy Commission to continue their consultations, to explore all possible avenues, and examine all concrete suggestions with a view to determining whether they might lead to an agreement securing the basic objectives of the General Assembly in this question", and recommending that "all nations, in the use of their rights of sovereignty, join in mutual agreement to limit the individual exercise of those rights in the control of atomic energy to the extent required". This Canadian-French resolution won the overwhelming support of the Assembly by a vote of 49 in favour, 5 against, with 3 abstentions.

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*For the text of the resolution, see Appendix 4, pp. 225-226.

In sponsoring the resolution, Mr. Pearson laid particular stress on the need for open-mindedness. Speaking to the Ad Hoc Political Committee on November 7, 1949, he said:

> One of the principles embodied in our joint resolution is that we must keep open every channel for consultation and negotiation. We must not close any door.
>
> The second principle is that we must also not close our minds. We must explore all possible avenues which give any promise of leading to a satisfactory solution to this vital problem. The Atomic Energy Commission must be prepared to consider any suggestion which could contribute to such a solution. The members of that Commission should be willing and anxious, and I know they would be willing and anxious, to examine ideas from any source, whether from an officer of the General Assembly, or from any government, or from the press, or from any individual in any part of the world.

As requested by the Assembly, the six permanent members of the Atomic Energy Commission resumed their discussions on December 20 under the chairmanship of the Canadian Delegate, General A. G. L. McNaughton, who proceeded to circulate to the members a summary of the various suggestions that had been made during the course of the Assembly session. These were referred to their governments and are being carefully studied.

Although the Assembly produced no remarkable decisions on atomic energy, there was a growing recognition that, in the words Mr. Pearson used in the Ad Hoc Political Committee on November 7, "if the U.S.A. and the U.S.S.R. did not agree on a plan for ensuring that there will not be an atomic arms race, there will be no such plan and there will be such a race, without any winner!"

In spite of the apparently ineffectual efforts of the United Nations to deal with the overwhelming problem of atomic energy control, a plan that is technically sound has been developed and has received the political support of the great majority of nations of the world. The effort to resolve the deadlock has become the most important political problem of the day and, although the issues appear at the moment to be politically insoluble, there are perhaps grounds for the hope expressed by a great atomic scientist, Dr. Leo Szilard, as quoted by Mr. Pearson before the United Nations on November 7, 1949:

> Politics has been defined as the art of the possible. Science might be defined as the art of the impossible. The crisis which is upon us may not find its ultimate solution until the statesmen catch up with the scientists, and politics, too, becomes the art of the impossible. This, I believe, might be achieved when the statesmen will be more afraid of the atomic bomb than they are afraid of using their imagination, because imagination is the tool which has to be used if the impossible is to be accomplished.

How the political problem can be solved, it is impossible to say, but, speaking in the House of Commons on November 16, 1949, Mr. Pearson made this suggestion:

> The problem of peace is much broader than the problem of agreeing on the clauses of a treaty to prohibit the use of the atom bomb. It is the problem of establishing sufficient mutual confidence to tackle not only disarmament and the bomb but the whole range of major friction points—political, strategic and economic—which are witnesses today of the tragic division between the two worlds.

Commission for Conventional Armaments

The Third Session of the General Assembly adopted a Franco-Belgian resolution which called upon the Security Council to pursue its studies of the regulation and reduction of conventional armaments through the agency of the Commission for Conventional Armaments. The operative section of this resolution suggested that the Commission, in carrying out its plan of work, should devote its first attention to formulating proposals for the receipt, checking and publication by an international organ of control, within the framework of the Security Council, of full information concerning the armaments and armed forces of member states. The resolution also invited the Security Council to report to the General Assembly no later than at its next regular session on the effect given to these intructions.

During 1949 the Commission was hampered in its attempts to implement this resolution by the continuing fundamental disagreement between the U.S.S.R. and the Ukraine on the one hand, and the remaining members of the Council on the other. The Soviet Representative made his Government's position clear, when the question was reconsidered in February 1949, by reintroducing the disarmament proposals which the Third Session of the General Assembly had decisively rejected in Paris. These proposals provided that measures be formulated to reduce the armaments and armed forces of the permanent members of the Council by one-third; and that two draft conventions were necessary, to take effect simultaneously, concerning the prohibition of atomic weapons and the control of atomic energy. The Soviet Representative added a further proposal to those which the Soviet Union had submitted to the General Assembly to the effect that the permanent members of the Council were to submit full data on their armed forces and armaments, including atomic weapons, no later than March 31, 1949. Western representatives characterized this Soviet draft resolution as a manoeuvre intended to divert attention from the disarmament resolution passed by the General Assembly. Accordingly, the majority in the Commission devoted a large number of informal meetings between February and August, 1949, to the preparation of a plan for the exchange and verification of information on conventional armaments. The initiative in the matter was largely taken by the delegations of Canada, France, the United Kingdom and the United States which, by the end of May, had agreed upon a composite working paper setting forth proposals for the census and verification of the armaments and armed forces of member states. At this stage the proposals contained in the working paper were outlined in two sections. The first section elaborated on the aims of the resolution passed by the Third Session of the General Assembly and described the nature, scope and limitations of the proposals. These proposals were to be capable of implementation under existing political conditions, but were not designed to provide, of themselves, the safeguards essential to security. As a prerequisite to implementation they were to be accepted by not less than two-thirds of the member states, including all the permanent members of the Security Council. Section two listed the categories of armed forces and armaments on which information was to be supplied to an international control organ and outlined the verification procedures (inspections, spot-checks and cross-checks) provided.

The Soviet Union's insistence, however, on linking the regulation of conventional armaments with the control of atomic energy made it clear that the possibility of reaching agreement on effective plans for disarmament was virtually non-existent. Nevertheless, the Commission felt itself obliged to continue its efforts to devise a practicable framework for disarmament in accordance with the General Assembly's instructions. Late in June 1949 the United States Delegation presented a supplementary paper containing suggestions for the establishment of an international organ of control. This draft was incorporated as section three of the majority working paper, which the French Delegation agreed to sponsor in the Working Committee of the Commission and later in the Commission itself. On August 1, the composite proposal introduced by the French Delegation was approved by the Commission, and on October 18, after some discussion in the Security Council, it was vetoed by the U.S.S.R. The Council, however, forwarded the Commission's proposal to the General Assembly, together with its own Second Progress Report covering its activities for the period July 16, 1947 to August 12, 1948.

When the Fourth Session of the General Assembly discussed the subject of conventional armaments, the familiar arguments were reiterated on both sides. The debate centred on a joint draft proposal submitted by the Representatives of France and Norway and on a second draft resolution put forward by the U.S.S.R. The latter simply recommended that member states "should submit information on both armed forces and conventional armaments, and information on atomic weapons", and was rejected by a vote of 6 in favour, 39 against, with 9 abstentions. The Franco-Norwegian proposal provided that the General Assembly should approve the plans formulated by the Commission for Conventional Armaments for the exchange of information on armed forces and the verification thereof; and recommended that the Security Council, despite the lack of unanimity among its permanent members, should continue its study of the regulation and reduction of conventional armaments and armed forces through the agency of the CCA. This resolution, which stemmed directly from the informal agreement reached in the Commission by the delegations of Canada, France, the United Kingdom and the United States, was adopted by the General Assembly on December 5 by a vote of 45 in favour, 5 against, with 5 abstentions.

Debate on the Essentials of Peace

At the opening of the Fourth Session of the Assembly, the newly elected President, General Carlos P. Romulo, in a short statement thanking the delegates who had supported his candidature, expressed the hope that the session would earn for itself the title, "the Peace Assembly". In the President's opinion, the Assembly should press the advantage of the improved state of international affairs since the Third Session in Paris and "move boldly forward" to attain the goal so anxiously sought by all nations—the elimination of war as a means of securing political ends and the establishment of a world order in which all powers, great and small, would seek to settle their differences by peaceful means. The labours in the Assembly, he said, would not have been in vain if they could help mankind advance "by so much as one step" towards that aim. In the President's view, the Fourth Assembly had the opportunity to do just that, for the session coincided with a "turning point in postwar international relations". The danger of a new war had abated; the struggle between East and West, having reached a high tide at Berlin, was now in a state of ebb-tide which gave promise of prolonged peace.

In the general debate which followed, it became clear that the "Peace Assembly" would by no means be free of controversies similar to those which had been aired in previous sessions. The Delegate of China complained that, although the North Atlantic Pact and the Marshall Plan had checked the advance of communism in Western Europe, the flood of international communism was threatening to engulf infinitely wider areas in the Far East because the "dyke" there had been allowed to fall into disrepair. Representatives of the Arab states spoke bitterly of their "betrayal" in Palestine by the Great Powers and of the need for recognizing the "full rights of the Arabs of Palestine", if peace were to be preserved in the Middle East.

As his contribution to the general debate, the Representative of the Soviet Union introduced his Government's remedy for the world's ills. After a caustic criticism of the North Atlantic Treaty, the Marshall Plan, and what he termed the United States and United Kingdom foreign policy directed toward the "undermining of the United Nations", the Soviet Delegate submitted a draft resolution calling upon the General Assembly to condemn the preparations for a new war, "which are now being conducted in a number of countries, particularly in the United States of America and the United Kingdom"; to declare as inadmissible "any further delays in the adoption by the United Nations of practical measures for the unconditional prohibition of atomic weapons and for the establishment of an adequate and rigid international control"; and to express the wish that the five Great Powers, mindful of their responsibility for the maintenance of international peace and security, should conclude between themselves "a pact for the strengthening of peace".

At first there was in some quarters a fleeting hope that the Soviet Union was offering a new approach, and that by a face-saving device it was introducing the resolution in order to provide the Assembly with a means for reaching a general settlement of the differences which had bedevilled its debates during the past four years. It was not long, however, before the supporters of the proposal—the representatives of the Soviet Union and of the satellite states—made it clear that they were repeating a familiar device and reiterating old arguments. To give an air of originality to the debate, however, the supporting speeches contained frequent references to new conspiracies against the Soviet Union, additional claims concerning the number of bases controlled by the United States, and about the number of dollars spent on armaments, and allegations of warmongering from the pages of the American press. The U.S.S.R. Delegation claimed that the United Kingdom and the United States had sabotaged the most sincere efforts of the Security Council, the Atomic Energy Commission, and the Commission for Conventional Armaments. In short, although the agenda item bore a new name, and the background of international affairs had changed considerably, the Soviet arguments were essentially the same as those used in 1947 when the Truman Doctrine was branded as a deliberate American commitment to gain world domination; in 1948 when the members of the United States and United Kingdom Delegations were called "the tools of the Wall Street warmongers"; and in the second part of the Third Session in the spring of 1949 when the North Atlantic Pact was described as a means of establishing military and air bases on territories of treaty powers for an attack on the Soviet Union.

When the Soviet proposal came up for discussion in the Political Committee, the United Kingdom and the United States jointly submitted a counter-proposal entitled "Essentials of Peace". The object of this resolution was to establish the principle that, if peace were endangered as the Soviet Delegation claimed, it was for reasons other than those enumerated by the U.S.S.R.* The resolution began with a declaration that the Charter of the United Nations laid down basic principles necessary for an enduring peace; that disregard of these principles was primarily responsible for the continuance of international tension; and that it was urgently necessary for all members to act in accordance with these principles. Every nation was called upon to act according to certain principles; for example, to refrain from threatening and using force contrary to the Charter, and to refrain from threats or acts, direct or indirect, aimed at impairing the freedom, independence or integrity of any state. Every member was called upon to participate fully in the work of the United Nations and the five permanent members of the Security Council were called upon to broaden progressively their cooperation and to exercise restraint in the use of the veto. Finally, every nation was called upon to settle international disputes by peaceful means and to cooperate in supporting United Nations efforts to resolve outstanding problems; to cooperate to attain the effective international regulation of conventional armaments; and to agree to the exercise of national sovereignty jointly with other nations to the extent necessary to attain international control of atomic energy, which would make effective the prohibition of atomic weapons and assure the use of atomic energy for peaceful means only.

The discussion which followed in the Political Committee was marked by the vigour of the statements made by many representatives of the Western democracies in support of the joint United Kingdom-United States resolution. It was significant that this was perhaps the first important occasion on which the Western democracies have made a concerted counter-offensive against the Communist charges. The debate, which ranged far and wide over history, philosophy and politics, gave the opportunity to the representatives of the democracies to analyze at length the practices, the motives and the ideology of international communism.

Speakers from the non-Communist states repudiated with emphasis the suggestion that the United Kingdom and the United States were preparing for war. They pointed to the long series of concessions made by these two states in the past four years in the attempt to secure peace. Particular reference was made by many representatives to the voluntary withdrawal of British rule in India, Pakistan, Burma, and Ceylon. The voluntary relinquishment of power in these areas on the part of the United Kingdom was strongly contrasted with the expansion of Soviet domination in the past few years in the Baltic states, Poland, Hungary, Czechoslovakia, and Roumania. In reply to the charges regarding military preparations in the democracies it was pointed out that the Soviet Union had persistently refused to give the figures of the number of men it had under arms, or details of its military expenditures. Nevertheless, on the basis of what information could be obtained, there was little doubt that the percentage of national income being spent for military purposes in the U.S.S.R. was considerably greater than comparable expenditure in the Western democracies, including the United States and the United Kingdom.

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*For the text of the resolution, see Appendix 7, p. 241.

In the same vein, the representatives of the non-Communist states reviewed at length the record of the Soviet Union in frustrating for the past three years any effective attempts to secure international action in the fields of atomic energy control and disarmament. While paying lip-service to the principle of international control in these fields, the Soviet Union had firmly maintained that it would not surrender one iota of its national sovereignty in permitting inspection of its atomic plants or of its military establishments. Unless the Soviet Union was prepared to accept such inspection and verification, its statements in support of international control were "hypocritical and meaningless".* Many representatives also pointed out that the rest of the world was prepared to accept safeguards of this nature, and was prepared to exercise national sovereignty jointly for this purpose. The Soviet Union's refusal to accept such safeguards thus amounted in fact to a demand for unilateral disarmament of the West.

On the subject of the North Atlantic Pact, numerous speakers pointed out that it was a defence pact designed to preserve the peace by making it clear to any potential aggressor that the nations of the Atlantic community would take common action against him if he was so unwise as to embark on war. The North Atlantic Pact was not directed against any state with peaceful intentions. It threatened no one and merely gave a necessary warning to potential aggressors. The nations of the Western world had already twice in the last thirty-five years been compelled to fight desperate wars against tyrants who had sought world domination. Twice they had been unprepared in the face of such aggression, and they were now determined not to be unprepared if any third aggressor should have similar designs. Until the United Nations could provide a security system which would guarantee the continuance of peace, the Western states considered themselves compelled to take steps, such as the North Atlantic Pact, for their self-protection. More than one speaker emphasized this argument by pointing to the network of alliances for defence and friendship which so closely knit the states of Eastern Europe.

What most Western speakers found paradoxical, however, was the fact that the condemnation, set forth in the first part of the Soviet proposal, and which in the view of many was framed in insulting and defamatory terms, should be coupled with a recommendation to conclude a pact of peace. It did not seem likely that such proposals would commend themselves to countries which supporters of the Soviet resolution referred to as "instigators and strategists of the cold war". The obvious conclusion was that the proposal had been put forward purely for propaganda purposes. Speaker after speaker underlined this aspect of the item under discussion and called upon the Soviet Union to demonstrate its peaceful intentions, not by meaningless declarations but by unequivocal action.

Several speakers charged the Communists with nourishing the doctrine of the inevitability of war and with endeavouring to bring about world revolution by violent means. In the opinion of these representatives, the Soviet spokesmen's claims to seek peace were more than cancelled out by the unbridled campaigns of hate against the Western world carried on by the Cominform. Recently, moreover, the Cominform and its agents within the territories of other states had turned their propaganda attack not only against the West but against even Communist states whose leaders refused to submit to the dictates of the Kremlin. Many of the speakers for the West urged the Soviet Representative to consider whether, if his Government really wanted peace, it should not, as an evidence of its good intentions, dissolve the Cominform and call a halt to the campaign of abuse against the Western world.

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*From statement by Canadian Representative in Political Committee, November 15, 1949. For text, see Appendix 5, pp. 226-235.

The joint United Kingdom-United States resolution was adopted, both in the Political Committee and in the General Assembly, by the same overwhelming majority of 53 in favour, 5 against, with Yugoslavia, significantly, abstaining. In each case, the Canadian Delegation participated in the debate and voted with the majority. On November 15, 1949, the Canadian Representative, Mr. Paul Martin, contrasted in detail the non-cooperative and expansionist actions of the Soviet Union with the protestations of peace which had been so frequently and so freely given by Soviet spokesmen. He emphasized that by its system of censorship the Soviet Government had denied to the peoples of the free world "the right to speak to the Russian people and tell them of our great and genuine desire to live at peace with the people of the Soviet Union". On December 1, 1949, in the full Assembly, Mr. Pearson further elaborated the Canadian view in a statement which condemned the activities of the Cominform in its attempts to overthrow and undermine the governments and institutions of other countries.* Mr. Pearson reminded the members of a maxim coined by Mr. Vishinsky: "Ideological intervention is wont to become military", and added that "the statement was only too true and embodied the greatest threat to peace which existed today".

Berlin

The blockade of Berlin was lifted on May 12, 1949, as a result of lengthy negotiations which took place among representatives of the United States, the United Kingdom, the U.S.S.R., and France. The United Nations did not formally discuss the Berlin question in 1949, although at the end of that year the Security Council still retained this item on its agenda.

On October 25, 1948, the Soviet Delegation in the Security Council at Paris vetoed a resolution, of which Canada was one of the sponsors, designed to reconcile the conflicting requirements of the parties to the dispute and thus to restore communications without any surrender of rights in the city of Berlin. One important difference between the stand of the Soviet Government and that of the three Western powers was that the U.S.S.R. was not willing to raise the blockade of Berlin until a unified currency, based on the German mark of the Soviet Zone, had been established in all sectors of Berlin. Conversely, the Western powers were not willing to negotiate terms by which the Soviet currency might be introduced into Western Berlin while their sectors of Berlin were still under blockade. There then followed in November 1948 an unsuccessful appeal on the part of the President of the Assembly in his personal capacity, and the Secretary-General of the United Nations, to bring the parties together to settle their differences.

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*For the text of the Canadian statement, see Appendix 6, pp. 235-240.

Finally, on November 30, 1948, the President of the Security Council, on his own initiative, invited the Governments of Argentina, Belgium, Canada, China, Colombia, and Syria each to nominate a financial or economic expert who would consider and make recommendations to the President of the Security Council on the most equitable conditions for an agreement among the Occupying Powers which would constitute appropriate trade and financial arrangements for Berlin. This represented a new approach by those members of the Council who were not directly concerned with this question. This Committee of Experts was originally given thirty days in which to complete its task. The Committee elected Mr. N. A. Robertson, who was then Canadian High Commissioner in London, as its Chairman. Its period of office was extended on December 27, when it became apparent that it could not complete its work within the 30-day period. In January the three new members of the Security Council, Cuba, Egypt, and Norway, were each invited to send experts to these meetings.

After a careful and detailed study of the problems, this Technical Committee submitted a preliminary draft paper on the settlement of the Berlin currency and trade problems for the comments of the technical experts of France, the United Kingdom, the United States and the U.S.S.R. The responses of experts of the four powers to the Committee's approach to the problem revealed wide differences of opinion which the Committee endeavoured to narrow in subsequent discussions. In the end it became apparent that a unified currency under Four-Power control could not be achieved in a city otherwise divided.

On February 11, 1949, the report of the Technical Committee was presented to the President of the Security Council. On March 15 it was made public. This report outlined the views presented to the Committee by the Occupying Powers. The Committee reached the conclusion that "the present positions of the experts of the four Occupying Powers are so far apart in this matter that further work by the Committee at this stage does not appear useful. In the circumstances, the Committee is debarred by its own terms of reference from putting forward any recommendations".

At the same time as the Technical Committee was reporting failure, an informal exchange of views was started at Lake Success between Dr. Philip Jessup, United States Representative, and Mr. Malik, Soviet Representative, which eventually led, on May 12, to a lifting of the Berlin blockade and on May 23 to a meeting of the Council of Foreign Ministers in Paris. Although the talks had been launched and developed at Lake Success, and although the Berlin question remained on the agenda of the Security Council, no further action by the Council was taken on this item during 1949. The subsequent efforts to resolve the deadlock took place outside the United Nations.

When the Council of Foreign Ministers met in Paris in June, with negligible results, they recommended a further exchange of views at the Fourth Session of the General Assembly. In view of the fact, however, that the Occupying Powers continued, although without much success, to discuss their mutual problems in Berlin, the matter was not raised during the Fourth Session of the Assembly.

The treatment of the Berlin question has not been without significance in the development of the United Nations. It was the first time that there had been a serious and frontal clash between permanent members of the Security Council. This was a situation which, it had frequently been said, the United Nations was not prepared to meet. Certainly it had been recognized, when the permanent members were allowed a veto, that the United Nations could not expect to settle a clash of this kind by the enforcement of sanctions. Members of the United Nations recognized, however, the extreme danger of the situation and the fact that whatever the Organization's limitations, the issue could not be ignored.

The response of the United Nations was encouraging. It immediately offered facilities for negotiation, conciliation and, if necessary, mediation in keeping with its experience in other matters. In the first place, this response took the interesting form of an entirely unofficial committee composed of the non-permanent members of the Security Council with the exception of the Ukraine. The Ukraine was excluded because it had, along with the Soviet Union, denied the competence of the Security Council to deal with this matter. The so-called "Six" attempted by negotiation, through the President of the Council, with representatives of both parties to find whether there was any common ground for an agreement. When the first negotiations failed, the matter was turned over to a committee of experts from the non-permanent members working with members of the Secretariat. An interesting fact was that although the Soviet Union continued to deny the competence of the United Nations with respect to Berlin, Mr. Vishinsky was willing to negotiate with the "Six", and Soviet experts were prepared to sit down for technical discussions with the experts.

It cannot be claimed that the United Nations solved the Berlin dispute or even that it was responsible for securing a lifting of the blockade. The United Nations did what it could, however, to provide machinery through which an agreement could be reached if and when both parties wanted to agree. Although the importance of this function ought not to be exaggerated, it should not be underestimated. At a time of crisis, negotiations such as those which took place through the non-permanent members of the Council may well serve to reduce tension and to find ways out of a dilemma which might otherwise lead to war. The work of the "Six" and the committee of experts is an interesting example of the kind of methods which the United Nations can initiate. Nevertheless, since every effort at conciliation of mediation must be *ad hoc*, and since it is unlikely that an exactly similar response would be appropriate to deal with any possible future clash among the Great Powers, there would appear to be little reason for establishing a committee of non-permanent members as a permanent feature of the United Nations. It is possible, however, that this precedent might be recalled in some form if it were warranted by circumstances in the future. In conclusion, it should also be mentioned that the United Nations did provide the meeting ground for the Malik-Jessup exchanges which led to the lifting of the Berlin blockade. It is true that representatives of the two countries could have discussed this question in Moscow, Washington, or Berlin, but with neither side anxious to take the first step, there is no doubt that the U.N. Headquarters provided a unique atmosphere. The fact that the meetings between Mr. Malik and Dr. Jessup were not unrelated to the discussions which had previously taken place through the committee of experts and the "Six" did also provide some continuity which may not have been without significance.

Greece

The guerrilla war in Greece, with its accompanying border violations and disturbances along the northern frontier, is a problem which has been before the United Nations since 1946. Originally, this question was brought before the Security Council by the Government of Greece, but, owing to a Soviet veto, the Council reached no decision, and the item was removed from the Council's agenda on September 15, 1947. At the request of the United States the problem was then placed on the agenda of the Second Regular Session of the General Assembly in 1947. At that session the General Assembly established the United Nations Special Committee on the Balkans (UNSCOB) to assist Greece, on the one hand, and Albania, Bulgaria and Yugoslavia, on the other, to achieve a peaceful solution of their disputes. This Commission was composed of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States. Seats have always been held open for Poland and the Soviet Union, but these states, as well as the other members of the Soviet bloc, have consistently failed to recognize the legality of UNSCOB or to participate in its work. The Special Committee was instructed to observe relations between Greece and her northern neighbours and to make recommendations for the establishment of frontier conventions between them and for the settlement of refugee and minority problems. Observation teams were to proceed to Greek frontier areas to investigate complaints received from the Governments of Greece, Albania, Bulgaria and Yugoslavia.

At its 1948 session, the Assembly decided to continue UNSCOB for another year. At the same time Albania, Bulgaria and Yugoslavia were called upon to stop assisting the Greek guerrillas. The Assembly also passed resolutions in 1948 calling for the resumption of normal diplomatic relations between Albania and Bulgaria, on the one hand, and Greece, on the other; and recommending the repatriation through the national and international Red Cross organizations of Greek children who had been removed from Greece because of the civil war.

During its 1948 session the Assembly made another approach to the problem by setting up a Conciliation Committee consisting of the President of the Assembly (Dr. Evatt), the Chairman and Rapporteur of the Political Committee, and the Secretary-General. This body held many meetings in Paris during the Assembly and later in New York with a view to bringing about a peaceful settlement among the four governments. On May 19, 1949, however, the Chairman, Dr. Evatt, announced that, while considerable progress towards full accord had been made, no agreement had been reached on one point of substance which had led to a deadlock between the four governments. This was Greece's determination not to accede to Albania's demand that Greece should formally recognize the existing boundaries between the two states as being final and definitive. (Greece had refused to recognize this boundary as final because such a concession would have involved the renunciation of her claim to Northern Epirus.)

UNSCOB continued its work in Greece throughout 1949, and in August submitted its report to the General Assembly. It stated that Albania, Bulgaria, and Yugoslavia had refused to cooperate with the United Nations Commission, whereas Greece, on the other hand, had cooperated with it. Certain states such as Roumania, Bulgaria and, in particular, Albania, had continued to give moral and material assistance to the Greek rebels Guerrilla aid from Yugoslavia, according to the Commission, had considerably diminished during the latter period covered by their report. As regards Greek children removed from Greece, the governments which had received them had not cooperated in returning them to their families. In some instances UNSCOB reported that these children had been made to fight in the ranks of the guerrillas. UNSCOB concluded that the present situation in Greece still constituted "a threat to the political independence and territorial integrity of Greece and to peace in the Balkans".

At its Fourth Session, the Assembly decided to resume the informal efforts at conciliation which had so nearly succeeded during the first and second parts of the Third Session. It therefore appointed a Conciliation Committee consisting of the President of the Assembly (General Romulo of the Philippines), the Chairman and Vice-Chairman of the First Committee (Mr. Pearson of Canada and Mr. Sarper of Turkey), and the Secretary-General. After three weeks of concentrated effort, however, this Conciliation Committee had to report to the Assembly that it was "unable to develop a basis of conciliation on which an agreement could be reached between the Governments of Albania, Bulgaria, Yugoslavia and Greece". The main reason for this lack of agreement was Albania's insistence that the Greek Government recognize the present boundaries between the two states as final and definitive. While Greece would not do this, the Greek Representative was prepared to accept a formula whereby the two parties would agree "not to use force or the threat of force for the purpose of changing the existing boundaries between them". This was not acceptable to Albania.

Having failed in its efforts to resolve the Greek problem in this informal way, the Political Committee then debated this question at great length. The discussion was marked by violent propaganda statements from the members of the Soviet bloc against the present Government of Greece, which they referred to as a "monarcho-fascist" regime. At the outset, the Soviet Representative, supported by the other Communist delegates, attempted to have the Assembly demand that the Greek Government suspend death sentences which a military tribunal had imposed on certain captured Greek guerrillas. The majority of the Political Committee decided that it was not competent to do this. The Canadian Representative spoke against the Soviet proposal on the grounds that it raised a matter which was essentially within the domestic jurisdiction of the Greek Government and that, even if this were not the case, the Political Committee was not equipped to act as a court of appeal regarding the sentences imposed on the eight persons named. Following this discussion, the Political Committee adopted an Ecuadorian proposal asking the President of the Assembly to "ascertain the views (of the Greek Government) concerning the suspension of death sentences passed by military courts for political reasons". The Greek Government replied that it had already decided to refer all cases of capital punishment to a Court of Appeal.

In addition to launching violent attacks on the alleged repressive measures being taken by the Greek Government against the guerrillas, the representatives of the Soviet bloc did everything possible to discredit the testimony of the witnesses interrogated by UNSCOB and of its observation groups. Their purpose was to refute UNSCOB's conclusions regarding the rendering of assistance to the guerrillas by Albania and Bulgaria. Representatives of these two latter states were invited to appear before the Political Committee where, on November 2, 1949, they made statements in a similar vein to those of the representatives of the Soviet bloc. Finally, the Soviet Representative introduced a draft resolution calling for a settlement of the Greek question by a declaration of a general amnesty; by the holding of free elections supervised by an international commission, and by the establishment of a joint commission to control the frontiers of northern Greece. In addition, the Soviet proposal would have called on foreign governments to cease giving military assistance to the Greek Government and to withdraw their troops from Greece within a certain period. Finally, UNSCOB would be dissolved immediately.

The representatives of the Western democracies based their replies largely on the reports and the conclusions submitted by UNSCOB. They pointed out that the question at issue was not the internal situation in Greece but the external relations between Greece and her three northern neighbours. Many of them contrasted strongly the cooperation shown UNSCOB by the Greek Government with the failure of Albania and Bulgaria, in particular, to recognize or cooperate with the Special Committee. These representatives also pointed out the differences between the military assistance which had been given, particularly by the United Kingdom and the United States, to the established Greek Government, and the clandestine assistance which had been given, in violation of the General Assembly's resolution, to the guerrilla movement which had been in armed revolt against this established government. On the question of the Greek boundary with Albania, the Representative of Greece repeated at length the historical claims of Greece to Northern Epirus. He repeated, however, that Greece would never attempt to use force to secure rectification of the boundary. The frontier question should be settled by reference to the International Court and need not be a bar to harmonious relations with Albania. This was in reply to the Soviet Representative, who had contended that, if Greece would recognize the present border with Albania as final, the whole Balkan dispute would be rapidly solved.

So far as the Soviet draft resolution was concerned, the representatives of the Western democracies pointed out that several, at least, of its features would constitute an invasion of the domestic jurisdiction of the Greek Government. Moreover, there was no tendency on the part of the majority to agree to dissolve UNSCOB, in view of the present disturbed conditions existing in the Balkans. The Soviet resolution was subsequently rejected.

A draft resolution proposed by Australia, China, the United Kingdom and the United States won the support of the majority of member states. In its operative section this resolution confirms the conclusions of UNSCOB; calls upon Albania, Bulgaria, Yugoslavia and Greece to cooperate with UNSCOB; and calls upon Albania and Bulgaria to cease giving assistance to the Greek guerrillas. The resolution also asks member states of the United Nations and all other states to "refrain from the direct or indirect provision of arms or materials of war to Albania and Bulgaria" until UNSCOB has determined that the unlawful assistance of these states to the Greek guerrillas has ceased. The Canadian Delegation was among those which supported the work and conclusions of UNSCOB and voted in favour of the majority resolution submitted by Australia, China, the United Kingdom and the United States.

On the question of the Greek children, the delegations of Australia, China, the United Kingdom and the United States again joined in introducing a draft resolution which severely condemned the failure of the governments which had received these children to comply with the previous unanimous Assembly resolution adopted in 1948 for the return of the children to Greece. The draft resolution went on to call upon the responsible governments to comply immediately with the 1948 resolution and to furnish full lists of the Greek children to the International Committee of the Red Cross. This joint proposal was later revised by the sponsors in a manner which made it less critical of the governments concerned. It was further amended in the Political Committee with a view to achieving agreement; and on November 18, 1949, the Assembly unanimously adopted a resolution on this subject, noting that these Greek children had not been returned, instructing the Secretary-General to request the International Committee of the Red Cross to continue its work, and urging all members of the United Nations and other states concerned to cooperate with the Red Cross for the early repatriation of the children.

It is impossible to forecast the effect which the decisions reached at the Fourth Session of the Assembly will have upon the Greek question. It is, however, significant that for the first time in its consideration of this item the Assembly has requested member states to impose an arms embargo on two specifically mentioned countries—Albania and Bulgaria. It is equally significant that Yugoslavia has been omitted from the list of countries which are to be subject to this embargo. The decision of the Yugoslav Government to close its frontier with Greece on July 10, 1949, may deprive the Greek guerrillas of one of their main springboards of attack upon Greek territory, even though it has by no means removed all the differences which divide Greece and Yugoslavia.

It is perhaps reasonable to hope that the arms embargo on Albania and Bulgaria, the growing success of the increasingly efficient Greek army in ridding Greek territory of the guerrillas, the continued presence of UNSCOB, and the more conciliatory attitude of Yugoslavia, may together result in the gradual suspension of open hostilities in this part of the Balkans. Indeed, there were intimations in the informal talks held by the reconstituted Conciliation Committee during the 1949 Assembly that the U.S.S.R. was itself prepared to cooperate in efforts to put an end to the guerrilla fighting. These signs, as the Conciliation Committee's report shows, were not productive of any useful result at the time. Nevertheless, there is ground for satisfaction in that the scale of guerrilla warfare is decreasing. With the help of the recent arms embargo on Albania and Bulgaria, and through the presence of UNSCOB, it is hoped that the United Nations will continue to contribute to the gradual lessening of tension in a traditionally troubled area of the world.

Human Rights in Eastern Europe

An important new subject which came before the United Nations in 1949 was related to the recent outbreaks of religious persecution in Eastern Europe. By the beginning of 1949 it had become evident that these outbreaks represented a systematic campaign on the part of the Communist governments of Eastern Europe to extend state control into the field of religion. In view of the basic tenets of Marxism, Leninism and Stalinism, this could not be represented as simply anti-clericalism of a kind which had long been known in Western Europe. It was obviously the first step in an effort to extinguish religious belief. The campaign reached its height in the trial and imprisonment of Cardinal Mindszenty, Primate of the Roman Catholic Church in Hungary, in February 1949, and in similar measures against Protestant leaders in Bulgaria. The indignation provoked by these and other extreme acts of persecution found spontaneous expression throughout the non-Communist world, and led to allegations by the Western democracies that the Governments of Hungary, Bulgaria and Roumania had violated the human rights clauses of the Peace Treaties of 1947.

The question of the observance of human rights in these countries was first placed on the agenda of the General Assembly of the United Nations at its session in April 1949. Before that date, several governments which had been signatories of the Peace Treaties with Hungary, Bulgaria and Roumania had sent notes of protest to these governments. On January 26 the Canadian Government protested to the Hungarian Government concerning the arrest of Cardinal Mindszenty. On April 2 Canada, Australia, and New Zealand associated themselves with United Kingdom notes of protest to Hungary and Roumania. These communications listed typical violations by the two governments of the human rights articles of the Peace Treaties, including violations of the guarantee of freedom of religion. In addition, the notes called upon the governments concerned to adopt prompt remedial measures in respect of these violations. At the same time, Canada was associated with similar notes sent by the United States Government to Hungary and Roumania and, although not a signatory of the Peace Treaty with Bulgaria, was informally associated with both the United States and the United Kingdom protests to the Bulgarian Government. All this took place before the United Nations began its consideration of this matter.

The General Assembly was asked in April 1949 to consider "the question of the observance in Bulgaria and Hungary of human rights and fundamental freedoms including questions of religious and civil liberties with special reference to recent trials of church leaders". In the General (or Steering) Committee the Representatives of the U.S.S.R. and Poland opposed the inclusion of this item in the Assembly's agenda, stating that the matter was exclusively within the domestic jurisdiction of Bulgaria and Hungary; that these states were not members of the United Nations and could not be bound by its Charter; that the machinery provided in the Peace Treaties would be the correct procedure to use in settlement of the dispute; and that the United Nations had no right to supervise the execution of these Treaties.

These arguments notwithstanding, the General Assembly decided to debate the item. In the discussions, the non-Communist majority protested vigorously against the actions of the Governments of Hungary and Bulgaria and pointed out that the Peace Treaties contained specific provisions guaranteeing the observance of basic human rights in those countries. Although the matter was considered to fall within the competence of the United Nations, it was not deemed appropriate at that stage for the Assembly to investigate the acts allegedly committed by the two accused Governments until the signatories of the Peace Treaties had exhausted the machinery for settlement provided in the Treaties. Nevertheless, as a demonstration of its anxiety, the Assembly, by a vote of 34 (including Canada) to 6, with 9 abstentions, adopted a resolution expressing its deep concern at the grave accusations made against the Governments of Bulgaria and Hungary, noting with satisfaction the steps already taken by several signatories of the relevant Peace Treaties (the despatch of notes of protest) and drawing the attention of the Governments of Bulgaria and Hungary to their obligations under the Peace Treaties. By the same resolution the Assembly retained the question on the agenda of the Fourth Session of the General Assembly. The Canadian Representative supported the resolution in a statement given in the Ad Hoc Political Committee on April 20.*

During the summer the protesting signatories took appropriate steps under the Peace Treaties. Hungary, Roumania and Bulgaria, however, refused to co-operate in appointing members to Commissions to consider these disputes, and in fact denied that disputes existed. Thus the attempts by the Western Powers to invoke the relevant clauses of the Peace Treaties failed. In accordance with the terms of the previous General Assembly resolution, the United States and the United Kingdom thereupon informed the Secretary-General of the steps which they had taken to comply with the procedures laid down in the Peace Treaties. Canada, Australia and New Zealand were associated with the United Kingdom action.

Prior to the opening of the Fourth Session of the General Assembly, the consideration of charges against Roumania was added to its agenda and the title of the item was simplified to "observance in Bulgaria, Hungary, and Roumania of human rights and fundamental freedoms".

The General Assembly discussed the question at some length. The representatives of the U.S.S.R. and other Eastern European governments questioned the moral qualifications of the accusing states and argued that the interpretation of the Peace Treaties was a matter to be decided by the signatories themselves. They denied that there had been a violation of human rights and considered that by debating this matter the General Assembly was intervening in the internal affairs of these countries in violation of the United Nations Charter.

The non-Communist majority repudiated these views. They repeated charges which they had previously made and which they supported with evidence to the effect that the Governments of Bulgaria, Hungary and Roumania had in fact violated the human rights articles of the Peace Treaties. In addition, the majority charged that these countries had also violated those clauses of the Treaties which set forth the procedures to be followed should a dispute arise between the parties as to whether or not a treaty had been violated. This alleged violation of the Peace Treaties, in the view of the majority, was a matter of international concern and was therefore clearly outside the domestic jurisdiction of the accused governments. It was this procedural aspect which was emphasized by the Canadian and United States delegations.

On October 4, the Canadian Representative in the Ad Hoc Political Committee outlined the Canadian position.** He reviewed the steps already taken by Canada through diplomatic channels and in public statements to express its abhorrence of the policy of repression and persecution followed by these three governments. In the Canadian view, ample evidence was available "to indicate beyond doubt that these states have misused their power in order to deprive or curtail the individuals under their jurisdiction of their inherent natural right to their own beliefs". The Canadian Representative emphasized that a fundamental disagreement now existed regarding the interpretation of the dispute clauses in the Peace Treaties and urged the Assembly to refer this disagreement to the International Court of Justice. On the basis of this statement, Canada joined with the United States and Bolivia in sponsoring a joint resolution* which expressed increased concern at the accusations made against Bulgaria, Hungary and Roumania, particularly in view of the refusal of these governments to cooperate in an examination of the charges. In its operative part, the resolution proposed to refer certain questions on the applicability and functioning of the dispute machinery in the Peace Treaties to the International Court of Justice. By a vote of 41 to 5 with 9 abstentions, the General Assembly concurred in this proposal, and as a result the International Court will be asked for an advisory opinion on the following four legal questions:

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*For the text of the Canadian statement, see Appendix 8, pp. 242-244.

**For the text of the Canadian statement, see Appendix 9, pp. 244-246.

I. Whether the diplomatic exchanges between Hungary, Roumania, Bulgaria and the protesting signatories concerning the human rights articles of the Peace Treaties disclose disputes to which the Peace Treaty procedures would apply;

II. Whether Bulgaria, Hungary and Roumania are obligated to cooperate in carrying out the procedures, including the appointment of their representatives to the Commissions;

III. In the event of an affirmative reply and if within thirty days from this reply the three governments have not appointed representatives, whether the Secretary-General of the United Nations could appoint the third member of a Treaty Commission upon the request of the other party in each dispute; and

IV. Whether a Treaty Commission composed of a representative of one party and a third member appointed by the Secretary-General would constitute a commission competent to make a decision in settlement of a dispute, if the other party failed to appoint its representative.

The Assembly agreed to place this item on the agenda of its next session, by which time it is hoped that the advisory opinion of the International Court will be available.

There is admittedly little hope that the action taken in 1949 by the United Nations on this question will result in any substantial modification of the policies now being pursued by the Governments of Bulgaria, Hungary and Roumania. However, the reference of certain legal questions to the International Court and the decision to keep the issue alive in the United Nations may have some useful effect by bringing the moral force of non-Communist public opinion to bear upon these governments. While the United Nations has been unable to do more than this, the debates which have taken place in the General Assembly during 1949 may at least be said to have fulfilled two useful purposes. They have demonstrated to the Communist states in Eastern Europe the degree of international dis-approval which their policies have generated. Furthermore, they have served as a sharp reminder to the non-Communist world of the extent to which these governments aspire to consolidate their domestic power by establishing state control over varied aspects of the life of the peoples they govern.

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*For the text of the resolution, see Appendix 10, pp. 246-248.

Regret has been expressed in many quarters that stronger action was not taken. The United Nations, however, is not in a position to exert the kind of pressure which might rescue the victims of persecution and alter the policy of Communist governments. None of the countries concerned is a member of the United Nations. Their policy with regard to human rights has, of course, been one of the principal reasons why a large majority of members of the United Nations refused to accept their application for membership. This is one sanction which could be exercised until the applicants show more regard for the fundamental principles of the Charter. It is unfortunately true, however, that the non-observance of these fundamental freedoms is equally characteristic of Eastern European states which are already members of the United Nations. Similar charges could also have been laid against Czechoslovakia and Poland, for example. Some doubts, however, have been expressed as to the competence of the United Nations to intervene in such questions because of the terms of Article 2(7) of the Charter which states that:

> Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

There is no doubt, however, that those who signed the Peace Treaties with Hungary, Bulgaria and Roumania have the right to insist upon the observance of fundamental freedoms by those countries which pledged themselves to such observance in the treaties. There is no doubt, furthermore, of the right of the United Nations to concern itself with a denial of human rights in any part of the world.

Spain

The relations of members of the United Nations with Spain were originally determined by a resolution of the second part of the First Session of the General Assembly on December 12, 1946, which recommended the debarring of Franco Spain from membership in the specialized agencies; the consideration of the situation by the Security Council if, within a reasonable time, a democratic government were not established in Spain; and the immediate withdrawal by members of the United Nations of their ambassadors and ministers in Madrid.

At the Second Session of the General Assembly in 1947, the question of Spain was reviewed. A resolution reaffirming the 1946 resolution was rejected, but the Assembly expressed its confidence that the Security Council would exercise its responsibilities as soon as it considered that the situation in Spain so required. The Security Council considered the question in June

1948, and decided to remove it from its agenda on the grounds that no new developments had occurred which would justify taking up the matter. Canada supported this decision.

At the second part of the Third Session of the General Assembly, in April 1949, two proposals on Spain were considered. The first, sponsored by Poland, called on the United Nations to reaffirm the 1946 General Assembly resolution condemning the Franco régime and to place an embargo on the shipment of arms and strategic materials to Spain. After an acrimonious three-day debate, the Political Committee rejected the resolution, Canada voting against; and later it was again defeated in the plenary meeting by a vote of 40 to 6, with 7 abstentions.

The second resolution, giving each member of the United Nations freedom of action with regard to its diplomatic relations with Spain, which was sponsored by Bolivia, Brazil, Colombia and Peru, was passed in the Political Committee but failed to obtain the necessary two-thirds majority in plenary session. Canada abstained, and none of the North Atlantic Treaty nations supported this resolution.

The question of Spain was not raised at the Fourth Session of the General Assembly. The 1946 resolution still stands, and Canadian policy towards Spain continues to be governed by its terms.

Former Italian Colonies

Under the terms of the Peace Treaty of February 10, 1947, Italy was obliged to renounce all right and title to its former colonies in Africa—namely, Libya, Eritrea and Italian Somaliland. Signatories of the Treaty were unable to decide what to do with these territories, however, and the Four Powers were consequently authorized to arrange a settlement themselves. If they could not agree by September 15, 1948, the question was to be referred to the General Assembly whose recommendations the Four Powers undertook to put into effect. Representatives of the Four Powers sent a Commission of Investigation to Africa during the winter of 1947-48 and in 1948 consulted the other signatories of the Peace Treaty, including Canada, but they were still unable to agree. On September 15, 1948, the question therefore came to the General Assembly, but the latter could not discuss it until the spring of 1949.

The Assembly had before it during the second part of its Third Session in April and May 1949, separate proposals for six geographical areas—namely, for Italian Somaliland, for the eastern and western portions of Eritrea, and for Cyrenaica, Tripolitania, and the Fezzan, in Libya. Since the defeat of Axis forces in Africa one of these areas, the Fezzan, had been under French control; the others were under British control.

The United Kingdom showed no interest in retaining a special position in any of the regions it occupied except Cyrenaica, whose geographical location gives it some importance in connection with over-all defence plans for the Eastern Mediterranean area. France seemed desirous of remaining in the Fezzan, whose administration had already been integrated with the administrations of Southern Algeria and Tunisia. Italy wished to be appointed administering authority under the United Nations trusteeship system in the remaining territories—namely, Tripolitania, the whole of Eritrea and Italian Somaliland. Inhabitants of some of these territories, particularly Cyrenaica and Tripolitania, asked for independence rather than trusteeship. The majority of the people of the eastern half of Eritrea asked for incorporation in Ethiopia. The remainder opposed this, and asked for trusteeship for an undivided Eritrea if independence was out of the question. Those who wanted trusteeship here or elsewhere, however, disagreed sharply on the question of whether or not Italy should be the administering authority.

In the Assembly there was a division of opinion as to the form which should be given trusteeships in the former Italian colonies. Some insisted that the United Nations should itself undertake the direct administration of one or more of the territories, through the Trusteeship Council. Others suggested that joint trusteeships might be established under the administration of two or more states. Still others argued that the only form of trusteeship that would work properly was the trusteeship administered by a single power, but there was a difference of opinion on the propriety of appointing Italy as administering authority in any of its former colonies.

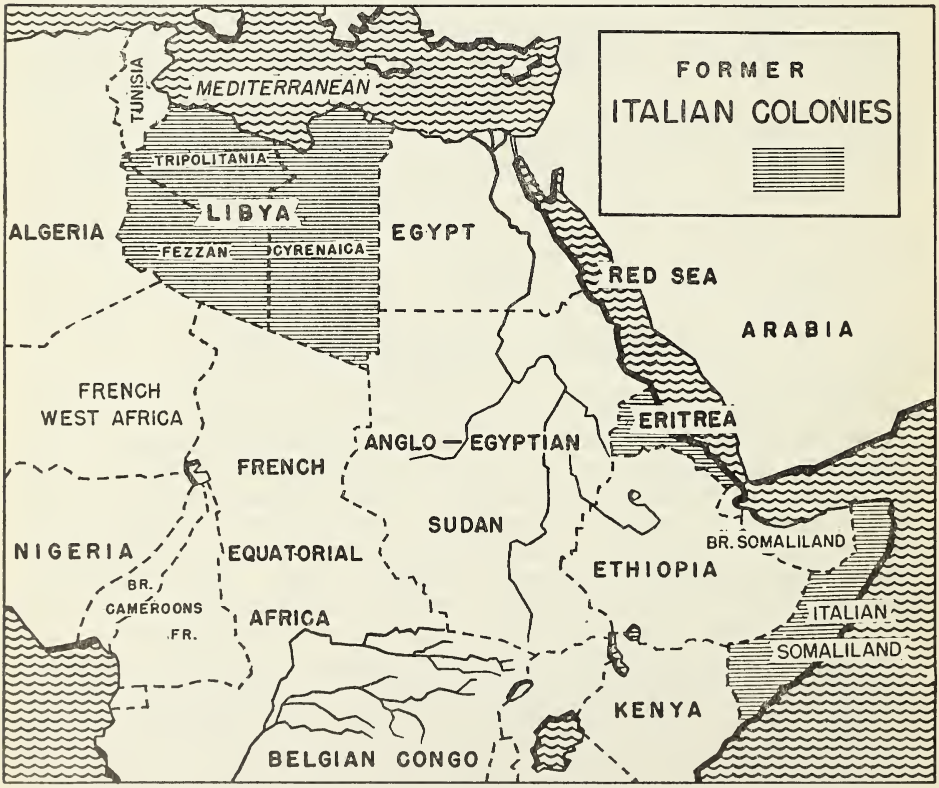
With so many points of view represented in the Assembly it seemed unlikely at first that a majority could be obtained in favour of any of the foregoing proposals. In due course, however, a compromise proposal agreed to in London by the Foreign Ministers of the United Kingdom and Italy won the support of a majority of the members of the Political Committee of the Assembly and came within a few votes of adoption by the Assembly itself. This proposal would have enabled Libya, comprising Cyrenaica, Tripolitania and the Fezzan, to be established as a united, independent state after ten years, unless the Assembly should find the step inappropriate at that time. During these ten years Cyrenaica would be under British trusteeship, the Fezzan under French trusteeship. In Tripolitania the existing British military administration would continue until the end of 1951 at the latest, but with the assistance of an advisory council of which Italy would be a member. From 1951 until Libya as a whole achieved independence in 1959, Tripolitania would be under Italian trusteeship. The south-eastern half of Eritrea would be incorporated in Ethiopia. Italian Somaliland would be placed under Italian trusteeship.

Although this draft resolution had the support of many Western states, including Canada, and most of the Latin American members, a combination of Asian, African, and Slav states, and one Latin American republic, defeated it by a narrow margin. Opponents of the resolution took the view that neither Italian Somaliland nor Tripolitania should be subjected to Italian control in view of the strength of anti-Italian feeling in both territories. The defeat of the resolution was interpreted as an indication of growing support for the principle of self-determination. The only decision reached in the spring of 1949 was that the Economic and Social Council should be asked to take into account the needs of the former Italian colonies in planning its activities in economically underdeveloped regions.

Immediately after the General Assembly adjourned, a Cyrenaican National Congress met to demand independence. The United Kingdom authorities agreed to the formation of a Cyrenaican government with jurisdiction limited to purely internal affairs. A constitution proclaimed in mid-September reserved for the competence of the British Resident matters relating in any way to external affairs. There were, however, no similar local governments in Tripolitania or the Fezzan.

By the time the General Assembly met again in the autumn of 1949 those members who had supported Italian policies at the spring session were prepared, along with Italy, to agree to independence for Libya. The majority of Italy's opponents, moreover, were willing to agree to an Italian trusteeship for Italian Somaliland provided it was limited to a ten-year period. On November 21, therefore, by a vote of 48 to one with 9 abstentions, the Assembly adopted resolutions in this sense.*

Libya was to become an independent sovereign state by January 1, 1952, when it would be admitted to membership in the United Nations. Its


FORMER
ITALIAN COLONIES
MEDITERRANEAN
TUNISIA
TRIPOLITANIA
LIBYA
ALGERIA
FEZZAN
CYRENAICA
EGYPT
RED SEA
ARABIA
FRENCH
WEST AFRICA
ERITREA
ANGLO—EGYPTIAN
FRENCH
SUDAN
NIGERIA
EQUATORIAL
BR. SOMALILAND
ETHIOPIA
BR.
CAMEROONS
FR.
AFRICA
ITALIAN
SOMALILAND
KENYA
BELGIAN CONGO

FORMER ITALIAN COLONIES

By its resolution of November 21, 1949, the General Assembly decided upon the disposal of the Former Italian Colonies. Libya is to receive its independence not later than January 1, 1952, and Italian Somaliland will become an independent sovereign state in ten years, after a period of Italian trusteeship supported by a United Nations advisory council. A United Nations Commission has been sent to Eritrea to ascertain more fully the wishes of the inhabitants of that territory as to their future political status. The Commission will report to the Secretary-General not later than June 15, 1950, and final consideration will be given to the question at the Fifth Session of the General Assembly.

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*For the texts of the resolutions, see Appendix 12, pp. 250-255.

constitution would be determined by representatives of Cyrenaica, Tripolitania and the Fezzan consulting together in a national assembly. A United Nations Commissioner, aided by a Council of ten members, would help the Libyans to formulate their constitution and to establish an independent government. The existing British and French administrations, in cooperation with the Commissioner, would begin immediately the necessary preparations for transferring power to a duly constituted government. They would coordinate their activities in assisting the establishment of Libyan unity and independence.

There was some discussion of whether the three areas into which Libya is now divided should have unity conferred on them by an Assembly decision, or be permitted to make a decision on the question themselves. A Polish amendment providing that Libya should be described in the resolution as a "united" as well as an "independent and sovereign" state was defeated. The Assembly also defeated attempts by the Soviet Union to have Libyan independence made effective immediately and to force the occupying powers to withdraw their armed forces and liquidate military bases without delay.

The Assembly appointed Mr. Adrian Pelt, Assistant Secretary-General of the United Nations in charge of Conferences and General Services, as Commissioner for Libya. Members of his Council were to be representatives of Egypt, France, Italy, Pakistan, the United Kingdom, the United States, Cyrenaica, Tripolitania, the Fezzan and the minorities of Libya.

In the second section of its resolution, the General Assembly recommended that Italian Somaliland should become independent after ten years of administration by Italy under the United Nations trusteeship system. Italy might take over the administration of the territory from the United Kingdom on a provisional basis after an agreement had been worked out in the Trusteeship Council, without waiting for the General Assembly's approval, provided the Italian Government undertook to administer the trust territory in accordance with the provisions of the Charter. After the Assembly's approval was received, the Italian administration would cease to be provisional. An Advisory Council, composed of representatives of Colombia, Egypt and the Philippines, was to assist the Italian administration. It would commence its work when the Italian provisional administration began. The trusteeship agreement was to embody constitutional principles based on a memorandum submitted to the General Assembly by India. These principles were designed to assist the rapid development of Italian Somaliland towards independence.

The Trusteeship Council met in special session at Lake Success on December 8 and 9 to appoint the drafting committee. It decided to invite representatives of Italy, Ethiopia, India, Egypt and Colombia to participate without vote in its discussions. The Philippines, already represented on the Trusteeship Council, needed no special invitation.

Ethiopia had consistently opposed the creation of an Italian trusteeship for Italian Somaliland. In December it claimed the status of a "state directly concerned" in the trusteeship agreement, within the meaning of Article 79 of the Charter. This would make it necessary for the agreement to have the assent of Ethiopia before it could be submitted to the Assembly for approval. Ethiopia asked therefore that when the Trusteeship Council met again in January 1950, its representative should be allowed to vote as well as to participate in the debate.

The fact that the boundary between Italian Somaliland and Ethiopia has not been defined would create special difficulties, Ethiopia also declared, since in the past it was the overlapping of Italian and Ethiopian claims in this area which led to the invasion of Ethiopia by Italy in 1935. The General Assembly had already resolved on November 21, however, that its Interim Committee should study the procedure to be adopted to delimit the boundaries of the former Italian colonies insofar as these had not already been fixed by international agreement.

In the case of Eritrea the General Assembly felt that it did not possess sufficient information on which to base a useful decision during its Fourth Session. It did not know, for example, how strong the sentiment in favour of union with Ethiopia actually was in the various provinces of the territory. During the summer of 1949, political parties opposed to union with Ethiopia, which had formerly disagreed among themselves as to who should administer a trusteeship for an undivided Eritrea, pooled their strength temporarily to demand independence, apparently without having agreed on the form of government which would be set up if independence were granted. The General Assembly therefore decided that a commission consisting of representatives of Burma, Guatemala, Norway, Pakistan and South Africa should ascertain more fully the wishes of the inhabitants and the best means of promoting their welfare, and make proposals to the Assembly by June 15, 1950, so as to enable final consideration of the question during the Fifth Session. The Commission was to take into account the views of various racial, religious and political groups, the capacity of the people for self-government, the interests of peace and security in East Africa, and the rights and claims of Ethiopia.

Canada's general approach to the subject is recorded in the statements it presented to the Deputies of the Council of Foreign Ministers on June 7 and August 7, 1948.* At the Third Session of the Assembly, Canada voted, on May 18, 1949, in favour of the plan which had had majority support in committee. At the Fourth Session, on November 21, the Canadian Representative spoke and voted in favour of the recommendations for the three territories which have been outlined above.**

Jerusalem and the Holy Places

On December 9, 1949, the General Assembly adopted for the third time a resolution recommending that Jerusalem and a number of the small towns and villages surrounding it, including Bethlehem, should be placed under international administration.

When the Assembly in November 1947 worked out its first checkerboard plan for the partition of Palestine into Arab and Jewish states bound together in an economic union, the Jerusalem area was designated as a separate political entity within the economic union, located in the heart of the largest of the Arab segments of Palestine. The city and its environs

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*The text of the statement of June 7 and the text of a press release on the statement of August 7 were published in *External Affairs Bulletin*, August 1948.

**For excerpts from the Canadian statement, see Appendix 11, pp. 248-250.

were to be administered for the United Nations by a Governor responsible to the Trusteeship Council, under a special statute which the Council was to draft. It was hoped that this arrangement would protect the unique spiritual and religious interests which the world's three great monotheistic faiths have in the Jerusalem area, and that it would ensure a reign of order and peace and foster cooperation among all inhabitants of the area. Holy Places elsewhere than in Jerusalem would be protected by guarantees embodied in the respective constitutions of the Arab and Jewish states, but the United Nations Governor of Jerusalem would see that these guarantees were fulfilled and would have authority to settle disputes about Holy Places in any part of Palestine.

The Trusteeship Council prepared a draft statute for Jerusalem along lines laid down in some detail by the General Assembly. Although this draft was published in April 1948, no attempt was made to put it into effect, since the struggle which was then in progress between Jews and Arabs for the possession of Jerusalem and other parts of Palestine forced the United Nations to concentrate its attention on efforts to establish a truce as the first step towards the restoration of peace.

The second decision the Assembly took on the subject was at Paris in December 1948, eleven days after an effective cease-fire agreement had been signed in Jerusalem by Arab and Israeli commanders and shortly before the Security Council succeeded in putting an end to hostilities in Palestine as a whole. This time the Assembly asked a small Conciliation Commission based on Palestine, rather than the Trusteeship Council at Lake Success, to prepare appropriate and detailed proposals for placing Jerusalem under effective United Nations control. The Assembly stipulated that the area should be accorded special and separate treatment from the rest of Palestine under a plan providing the maximum degree of local autonomy consistent with Jerusalem's special international status. The Conciliation Commission was to seek arrangements which would facilitate the economic development of the area. For Holy Places elsewhere than in the Jerusalem area, Arab and Israeli authorities should be asked to give the Conciliation Commission appropriate guarantees. Both the detailed plan for Jerusalem and the guarantees for Holy Places elsewhere would be submitted for the Assembly's approval during its Fourth Session.

The Conciliation Commission made several unsuccessful attempts to get Israel and Jordan to agree to a plan for an international regime for Jerusalem and then, on September 12, 1949, published a plan of its own. This took into account the partition of Jerusalem into areas occupied by armed forces of Israel and Jordan under the terms of an armistice signed on April 3, 1949, which the Security Council recognized on August 11 — along with other bilateral armistice agreements between Israel and its immediate neighbours—as superseding United Nations truce arrangements.

The Conciliation Commission proposed to the Assembly that Arab and Jewish zones in Jerusalem should be recognized, that Arab and Jewish authorities should provide the day-to-day municipal administration in their respective zones and that a mixed appointive body should look after services of common interest, such as transportation and communications. A United Nations Commissioner would assure the observance of human rights, the protection of Holy Places, and freedom of access to these Places, and would supervise the demilitarization of the Jerusalem area. An international tribunal would settle disputes involving the Holy Places or disputes between Arab and Jewish authorities. A mixed court would hear cases involving private individuals in each zone and outsiders. Neither Jews nor Arabs might establish their capital in Jerusalem, and the proportion of Jews to Arabs in the area was not to be altered.

The Conciliation Commission reported that it had invited the governments of Israel and the Arab states to sign a draft declaration concerning protection of Holy Places outside the Jerusalem area. This specified that the United Nations Commissioner in Jerusalem should supervise the fulfilment of guarantees given by the states concerned, while disputes relating to Holy Places outside Jerusalem would be referred to the international tribunal which was to be set up in Jerusalem. The Arab states drafted and signed a modified declaration giving most of the desired guarantees, but omitting all reference to the United Nations Commissioner in Jerusalem and the proposed international tribunal. Israel, which objected to the same features, merely indicated its willingness to offer guarantees for protection of Holy Places outside Jerusalem after the Assembly had reached a decision on the Jerusalem regime itself.

The plan offered by the Conciliation Commission received less attention than a series of draft proposals offered by individual delegations to the Assembly. Broadly speaking the proposals of member states represented three attitudes. Some wanted full United Nations control of an undivided Jerusalem area along the lines of the first Assembly resolution of November 1947. At the other extreme were those who argued that Israel and Jordan were quite capable of protecting the Holy Places and that they should be allowed to exercise full sovereignty in the area, although they would be expected to enter into agreements with the United Nations concerning the safeguards they would provide. A third group of states proposed a modified form of internationalization, to safeguard religious interests of the outside world in Jerusalem, while allowing the occupying powers as much secular control as was consistent with the full protection of religious interests.

Israel and Jordan both vigorously opposed the principle of internationalization of the Jerusalem area and intimated that they would resist its imposition. Few other states seemed to be prepared, however, to recognize the full sovereignty of the occupying powers. There was more support for the proposals for modified or so-called "functional" internationalization, but in all stages—in sub-committee, in full committee and in the plenary meeting of the Assembly—the plan for full internationalization was put to the vote first and was adopted by more than the required majorities.

The proposal for full internationalization adopted by the Assembly on December 9, 1949, by a vote of 38 to 14 with 7 abstentions was drafted by Australia and amended by El Salvador, the Soviet Union, and Lebanon.* Thirteen of the twenty Latin American states gave it their support, as did three Western European states, the five members of the Soviet bloc and the six Arab members of the United Nations, who, for various reasons, did not wish to see either Israel or Jordan in full possession of Jerusalem. Jordan, though participating in the discussions, had no vote, since a Soviet veto has prevented its admission to membership in the Organization. Among the fourteen members who opposed the resolution were the United Kingdom, the United States, Canada, South Africa and the Scandinavian states. Among the seven which abstained were New Zealand, the Netherlands and Chile.

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*For the text of the resolution, see Appendix 15, pp. 259-260.

The resolution restated the principles approved by the Assembly in November 1947. The Trusteeship Council was now asked to bring its statute for Jerusalem up to date, with amendments for its greater democratization. The Trusteeship Council was then to put its own plan into effect immediately. It was not to allow possible actions of interested states to divert it from carrying out its task.

The Trusteeship Council's draft statute as it now stands, pending its revision, would give a United Nations Governor, responsible to the Trusteeship Council, full executive control over an undivided and demilitarized Jerusalem area. The Trusteeship Council would have power to prorogue, suspend or dissolve an elected legislative council. The Governor would control immigration but assure freedom of entry and temporary residence to all pilgrims and visitors, subject to the requirements of public security, morals and health. Arrangements for the protection of the Holy Places are set forth at some length in the draft. The statute would remain in effect for ten years, after which the Trusteeship Council would re-examine it. A referendum would also be held at that time to allow the inhabitants to express their wishes as to possible modifications of the regime.

Advocates of a limited form of internationalization were concerned because the supporters of full internationalization had not explained how they proposed to overcome local resistance, which might involve the use of force. Neither had these states offered to make contributions themselves towards implementing a recommendation which the inhabitants of Jerusalem seemed likely to resent.

A Netherlands-Swedish proposal for functional internationalization, which had Canada's support, was intended—like the plan of the Conciliation Commission described above—to provide a form of internationalization that might stand some chance of being put into effect. It left secular interests largely to the occupying authorities and limited the exercise of international control chiefly to matters affecting the Holy Places. Under the Netherlands-Swedish proposal, a United Nations Commissioner responsible to the General Assembly would supervise the protection of the Holy Places in Jerusalem and elsewhere in Palestine and ensure free access to them by visitors. The Commissioner would have power to settle disputes between religious groups, appeals being allowed to a special consular court. Jurisdiction over the two parts of Jerusalem, however, would be exercised by Israeli and Arab authorities respectively, subject to the powers conferred on the United Nations Commissioner. Israelis and Arabs would be forbidden, however, to set up central political or administrative organs in Jerusalem. If they failed to take necessary measures to maintain public safety the Commissioner would have the power to issue orders for this purpose. He might also defer or suspend the application of laws, ordinances or regulations which impaired the rights and privileges he was there to protect. Demilitarization of the Jerusalem area would be completed three months after definitive peace was concluded. The General Assembly would review these arrangements after a period of three years. Meanwhile, Israel and Jordan would be invited to give the United Nations appropriate pledges.

The Canadian Representative spoke in favour of the Netherlands-Swedish proposal and would have supported it if it had been put to the vote.* In sub-committee and the main committee, Canada abstained when the vote was taken on the plan for full internationalization. In the Assembly's plenary meeting, Canada found it necessary to vote against full internationalization in order to make clear its own conviction that the form of internationalization adopted should be practicable.

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*For the text of the Canadian statement of November 29, 1949, see Appendix 13, pp. 255-257; for excerpts from the Canadian statement of December 9, 1949, see Appendix 14, pp. 257-259.

In supporting the Netherlands-Swedish proposal the Canadian Delegation stated that the first consideration was the effective protection of the Holy Places, which it felt could be ensured only by adequate international authority. Canada did not consider, however, that the mere adoption by the Assembly of a sweeping resolution for complete international administration would necessarily give the Holy Places the protection they required. Legitimate interests, attitudes and aspirations of the inhabitants could not be ignored if the United Nations was to achieve a practicable and enduring solution. What was needed was to establish a form of United Nations control designed to ensure effective protection of religious interests, while avoiding the assumption by the United Nations of responsibilities and controls unnecessary for this purpose, which it might not be able to discharge adequately.

When the question of an appropriation of $8,000,000 for the support of an international regime for Jerusalem was first voted upon in committee, Canada abstained. After the Assembly had decided in favour of full internationalization, however, Canada supported the appropriation. The U.S.S.R., although it had advocated full internationalization, made an unsuccessful attempt to have the appropriation reduced to $3,000,000.

On December 13 the Israeli Parliament voted to expedite the transfer of the seat of government from Tel Aviv to Jerusalem. A week later the Trusteeship Council voted to ask Israel to revoke the measures it had taken to transfer certain ministries to Jerusalem. On December 31, Israel replied that it did not consider that the United Nations Charter conferred on the Trusteeship Council the power to ask for revocation of administrative acts by governments of member states in territories for whose administration and security these states were responsible.

On December 20 the Trusteeship Council asked its President to prepare a working paper on a suitable draft statute for Jerusalem.

Palestine Refugees

The refugee problem in Palestine has grown out of the struggle which took place after the United Kingdom announced its intention of relinquishing the mandate it had held for twenty-five years, and the General Assembly recommended that separate Arab and Jewish states should be set up. To date some 940,000 Arabs and 7,000 Jews have been displaced. The mass evacuation of urban areas under fire began in April 1948 and a general flight of Arabs from rural communities thought to be insufficiently protected followed. The United Nations Mediator reported that the refugee problem had become acute by July 1948. At first the main burden was carried by the Governments of Lebanon, Syria, Jordan and Egypt. With the depletion of their resources, however, outside aid soon became necessary. In August the United Nations International Children's Emergency Fund (UNICEF) inaugurated a feeding programme for children and mothers, and a disaster relief programme organized by the Mediator began to operate in September. Red Cross and other voluntary organizations were already active.

The General Assembly first took up the refugee question during the autumn of 1948. On November 19 it adopted a resolution approving the Secretary-General's estimate of $32,000,000 as the amount required to provide relief from December 1, 1948 to August 30, 1949 for the 500,000 refugees needing help at that time. The Secretary-General was authorized to advance from the working capital fund of the United Nations a sum not exceeding $5,000,000 to United Nations Relief for Palestine Refugees, a body which took over the disaster relief programme on December 1, 1948. All governments, whether members of the United Nations or not, were urged to make voluntary contributions, and the assistance of specialized agencies and of voluntary organizations was invited and received. Relief was administered by UNRPR but field work was entrusted to the International Committee of the Red Cross, the League of Red Cross Societies, and the American Friends Service Committee.

In another resolution, adopted on December 11, 1948, the General Assembly asserted that Palestinian refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date. Compensation should be paid for the property of those choosing not to return and for loss of, or damage to, property. The Assembly asked the Palestine Conciliation Commission set up under this resolution to facilitate the repatriation, resettlement, and economic and social rehabilitation of Palestinian refugees, and the payment of compensation, keeping in close touch, meanwhile, with the Director of UNRPR.

Between April and September 1949, the Conciliation Commission carried on parallel discussions of the refugee problem at Lausanne with representatives of Israel, interested Arab states and certain voluntary relief organizations. Here Israel insisted that the refugee problem should be treated as part of a general political settlement, while the Arabs maintained that no progress could be made towards a political settlement until Israel accepted the principle of repatriation of Arab refugees. This the Government of Israel refused to do. The Conciliation Commission itself observed that the refugee problem had a definite relation to the political settlement, since the location of Israel's boundaries would determine to a certain extent the number of displaced persons who would be separated from their homes by an international frontier.

On May 12 the Commission obtained the signatures of Arab and Israeli representatives to separate protocols providing for simultaneous discussion of the problem of refugees, frontiers and an international regime for Jerusalem. As a point of departure for these discussions it was agreed that the boundaries described in the General Assembly's original partition plan of November 29, 1947, should be used. Beyond this, however, there was little progress towards agreement.

The Arabs proposed that Israel should accept the immediate return of all refugees whose homes were in the territory allotted to the Jewish state under the Assembly's partition resolution. Israel refused this, but offered to accept a total of 100,000 Arab refugees to be settled in designated localities. Between one-third and one-half of this total would be made up of refugees who had already contrived to return home by irregular means, and those who would be admitted under a plan for reunion of separated families negotiated with the aid of the Conciliation Commission.

The Commission was not satisfied with the proposals of the Arab states and Israel. It was disappointed, moreover, to find that its efforts to halt the rapid deterioration of abandoned Arab orange groves under the control of the Israeli custodian of enemy property produced no results. It succeeded, however, in arranging for direct negotiations on the simultaneous release of blocked assets of Arab refugees in Israel and in the Arab states.

While the discussions were in progress at Lausanne, the Conciliation Commission sent a technical committee into the field for a preliminary study of the refugee situation. After this group had reported, the Conciliation Commission decided on August 23, that as a matter of urgency, the General Assembly during its Fourth Session, should be asked to approve a programme for overcoming the economic dislocations caused by the Palestine conflict and for re-absorbing the refugees into the economic life of the area on a self-sustaining basis. Mr. Gordon R. Clapp, Chairman of the Tennessee Valley Authority, was appointed to head an Economic Survey Mission, which rapidly won the cooperation of most of the states concerned and succeeded in publishing by November 16, in time for consideration by the Assembly, a first interim report on measures to enable the refugees to become self-sustaining. Its final report, on the question of overcoming the economic dislocations caused by the Palestine conflict, was not published until January 1950.

The General Assembly approved the interim report of the Economic Survey Mission in most of its details on December 8, 1949, by a vote of 47 to none, with 5 Eastern European states and South Africa abstaining.* The Economic Survey Mission had reported that an early solution of the refugee problem as a whole was precluded by the continuing political stalemate in relations between Israel and the Arab states. What was proposed, therefore, was only a first measure towards the rehabilitation of the refugees through the establishment of a programme of public works for the employment of those who were able-bodied. This was not to prejudice, however, the principles of repatriation and resettlement voted by the Assembly on December 11, 1948. Useful, gainful employment could be found for all refugees able and willing to work, the Economic Survey Mission stated, although such work could not be provided immediately for all. Afforestation, terracing, irrigation and road-building would improve the productivity of the area, while enabling a progressively increasing number of refugees to become self-supporting. The Arab states would be asked to bear the cost of all direct relief remaining after December 31, 1950, unless the Assembly should later decide otherwise. On this basis the relief and works programme would not result in an increase in the existing rate of monthly United Nations expenditure for Arab refugees.

The cost of the plan proposed by the Economic Survey Mission and approved by the Assembly was estimated to be as follows:

January to March 1950.......	direct relief alone......	$ 5,500,000
April to December 1950......	direct relief...........	14,700,000
	works programme......	13,500,000
January to June 1951........	works programme alone	21,200,000
Total, 18 months............................		$54,900,000

It was decided that this amount should be raised by voluntary contributions in funds or in kind from members of the United Nations and non-members. Advances from the working capital fund up to a total of $5,000,000 were authorized, to be repaid by the end of 1950. An interest-free loan of $2,800,000 from the International Refugee Organization was to be sought, while various specialized agencies and private groups and organizations were also asked to furnish assistance within the framework of the plan.

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*For the text of the resolution, see Appendix 17, pp. 261-264.

The body which is to carry out the programme is to be known as the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The new agency will be expected to take over from UNRPR on April 1, 1950. It is to be aided by an advisory commission consisting of representatives of France, Turkey, the United Kingdom and the United States. Its technical assistance activities are to be coordinated with the Technical Assistance Programme of the United Nations and the specialized agencies.

A recommendation of the Economic Survey Mission which was not approved by the Assembly related to the proposed cutting down of the relief rolls from an estimated 1,019,000 to an estimated 652,000 by January 1, 1950. In issuing rations and relief supplies made available from a variety of sources the operating agencies in refugee centres had been finding it increasingly difficult to differentiate between genuine refugees and local inhabitants rendered destitute either by the influx of refugees or by abnormal conditions. The agencies were convinced that the disturbances which would occur if the proposed reduction was carried into effect would make their own position in the Middle East impossible. After hearing a representative of the International Red Cross on the subject, the committee of the Assembly recommended that the Secretary-General should merely be asked to try to reduce the number of rations by progressive stages in cooperation with the operating agencies. This the agencies were willing to attempt.

When Count Bernadotte, the Mediator for Palestine, first appealed to members of the United Nations on August 16, 1948, for aid for Palestinian refugees, the Canadian Government contributed 40,000 cases of canned fish valued at $254,000. The cost of shipping this food to the Middle East was borne by the Canadian Red Cross in the amount of $34,000.

The Assembly resolution of November 19, 1948, asking for voluntary contributions in cash or kind to make up a total of $32,000,000 brought a further response from Canada, which sent the following additional shipments:

600 tons wheat flour valued at	$ 59,000	
cost of transportation	15,000	
		$ 74,000
38,000 bushels dried white beans	$158,000	
cost of transportation	37,000	
		$195,000
18,160 cases canned fish	$175,000	
cost of transportation	23,000	
		$198,000
Total		$467,000

Canada also made an indirect but substantial contribution by reason of its share in the $6,000,000 which UNICEF voted in November 1948 to allot for the use of mothers and children in the Middle Eastern area. Furthermore, Canada made possible a special arrangement under which UNICEF agreed to turn over substantial quantities of wheat to UNRPR. Canada had already delivered to various points in Europe for the use of UNICEF 37,272 cases of canned fish valued at $252,000, transportation costs amounting to $34,000. In consideration of these shipments UNICEF agreed to give UNRPR wheat of an equivalent value for use of the refugees.

When the Assembly in December 1949 considered the Economic Survey Mission's proposals for the combined relief and works programme described above, Canada spoke and voted in favour of the plan.*

Hyderabad

The question of Hyderabad still remained on the agenda of the Security Council throughout 1949, but little disposition was shown to take any further action. The subject was first brought to the attention of the Council in August 1948, by the then authorities of the state, who complained of measures allegedly taken by India to force Hyderabad to accede to the Indian Union. The Indians denied the competence of the Council to deal with an "internal" matter, and the Hyderabad case was considerably weakened when the Nizam, in whose name the original charge had been made, asked that it be withdrawn. There was little disposition on the part of Council members to prolong the dispute in view of the recognition that Hyderabad's future seemed best assured as part of India. Nevertheless, some members were worried about a precedent which might seem to sanction the use of force and acceptance of a *fait accompli.*

The Government of Pakistan was not unnaturally interested in this question because of the Moslem minority which had formerly been in power in Hyderabad and because they considered the case to be analogous in some respects to that of Kashmir. Consequently Pakistan asked the Council for an opportunity to express its views, and on December 15, 1948, the Council agreed to hear a representative of Pakistan at a later meeting. No very strong pressure was exerted from any quarter to hold the meeting, and it did not take place until May 19, 1949. A further meeting was held on May 24 when representatives of both India and Pakistan were heard by the Council.

The Representative of India maintained that Hyderabad had never been an independent state but had been subject to the "paramountcy" of the British Crown before the Indian Independence Act and had not been recognized after the Act by any sovereign state. He explained that India would never allow the dismemberment of its geographic entity and declared that the Nizam, far from having withdrawn his complaint under duress, had been under duress exercised by the militant Moslem group (Razakars) when he made the complaint in the first place before the entry of India's armed forces. India had been compelled, he said, to intervene because of "lawlessness and disorder" in Hyderabad, and the situation had returned to normal. The Representative of Pakistan argued that Hyderabad had never, except in a geographic sense, formed a part of India and that during discussion of the Indian Independence Bill in 1947, spokesmen of the United Kingdom had mentioned independence as one possibility for the princely states. He declared that the real issue was that India had in effect annexed Hyderabad by force, thereby creating an international political problem which could not be regarded by the Council simply as a domestic concern of India. If the Council doubted its own competence or that of Hyderabad in the matter, he said, an advisory opinion should be sought from the International Court of Justice. If the opinion was that the Council was competent to intervene and that an unjustifiable aggression had taken place, the Council would, in the opinion of Pakistan, have a duty to restore the *status quo* as far as practicable. "Provisional measures", including a general amnesty, should be taken by the Council. Finally, Pakistan suggested that the Council should satisfy itself concerning any facts still in doubt and arrange under United Nations supervision a plebiscite on the question of the accession of Hyderabad to India.

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*For the text of the Canadian statement, see Appendix 16, p. 260.

The Security Council then adjourned without making any decision. No date was set for a further meeting to discuss the matter. In the discussion on September 21, 1948, the Canadian Representative had suggested that the Council need not pursue for the present the question of its competence to intervene but that no one would question the right of the Council to continue any discussion which it had once begun concerning any matter appearing to threaten peace. No further opinion concerning these points was expressed by the Canadian Representative during the meetings held in May 1949.

Indonesia

The dispute which followed the return to Indonesia in 1945 of the Netherlands administering authorities was a characteristic result of the stimulation given by the Second World War to already growing nationalism in many underdeveloped regions of the world. The Republic of Indonesia, which was sponsored by the Japanese, declared its independence in August 1945. In the following interval of six weeks before the landing of Allied forces, the new regime consolidated its position and took over from the Japanese all administrative functions in these areas. It was with this *de facto* government, which strongly opposed the return of the Netherlands authorities, that the Dutch Government had to deal when it assumed the administration of the Netherlands East Indies from the British, who had accepted the Japanese surrender.

During the years 1946 to 1948 numerous attempts were made to reach agreement between the Dutch and the Republicans as to the future form of government of Indonesia. In August 1947 the Security Council was called upon by Australia and India to consider the problem. The Netherlands Government objected that the Security Council did not have the competence to intervene, but agreed to proceed with the discussions without committing itself to carry out the Council's decisions. The Security Council thereupon decided to establish a Committee of Good Offices to assist in bringing the parties together. In January 1948, under the auspices of the Committee, broad agreement was reached on the principle of eventual independence for the Indonesian islands and the establishment of a new federal system which would be known as the United States of Indonesia and which would take its place in a Netherlands-Indonesian Union. Yet subsequent events during 1948 led to new differences which hampered further progress. The Republicans charged that the Dutch were strangling the Republic by means of an economic blockade and that in so doing they were acting in contravention of a previous truce agreement; and there was equally bitter disagreement over the activities of the Netherlands authorities in sponsoring the establishment of numerous provisional states in those parts of Indonesia outside the Republic, including some sections which had been Republican-held before the Dutch military campaign of July 1947. These issues intensified the differences separating the parties and led to a new and serious crisis. As the year ended the Security Council and the Committee of Good Offices were grappling with the consequences of the second Dutch "police action", begun on December 19, 1948, which had followed the collapse of direct negotiations between the parties in November. In the course of a brief military campaign Netherlands forces had occupied Jogjakarta, the capital of the Republic, and had taken a number of prominent Republican leaders into custody.

The Security Council, in a series of meetings in the last ten days of 1948, called for an immediate cease-fire and for the release by the Dutch of President Soekarno and other Republican political prisoners. In the ensuing three months the Council devoted further meetings to the problem. In January, when the Council was under the chairmanship of the Canadian Representative, criticism of Netherlands policy came from almost every quarter. The Netherlands Representative, replying to these reflections on his Government's actions, stated on January 7 that armed action by Netherlands forces had virtually ceased, that negotiations could begin for the establishment of an all-Indonesian federal interim government, and that the Dutch Prime Minister had gone to Batavia to begin such talks. The Netherlands Representative was unable, however, to give assurance that all the Republican leaders had been released. In the following two weeks a series of informal discussions took place at Lake Success at the end of which, on January 21, a draft resolution prepared by the United States Delegation and sponsored jointly by the United States, Cuba, China, and Norway, was placed before the Council. The most important sections of this resolution provided for: the cessation of hostilities; complete freedom for the imprisoned Republican leaders and their return to Jogjakarta; a timetable for the transfer of sovereignty; and the establishment of a new United Nations Commission for Indonesia to act as the representative of the Security Council. On January 28 this draft resolution, after modifications designed to make it more workable and more readily acceptable to the parties, was approved by the Security Council.*

While the Security Council was endeavouring by these means to bring about a solution by agreement between the parties, new proposals for resolving the deadlock were being made at an emergency conference of Near Eastern, South, and South-East Asian states, called by Prime Minister Nehru in New Delhi. After several days of negotiation the conference adopted a resolution asking the Security Council to order the Netherlands to withdraw its troops from Indonesia, to form an interim government in Indonesia with United Nations sanction, and to grant full sovereignty to a United States of Indonesia by January 1, 1950. Although this resolution did not directly bear fruit in the Security Council, the calling of the conference reflected the widespread concern of Asian nations over the resumption of military operations by the Netherlands in Indonesia.

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*For the text of the resolution, see Appendix 18, pp. 264-267.

The Security Council's resolution of January 28 included a provision that the United Nations Commission for Indonesia should report to the Council with its recommendations for a solution of the difficulties if the parties had not reached agreement, by February 15, 1949, on the establishment of an interim federal government for Indonesia. In the light of political developments in the Netherlands, the date on which the Commission's report was to be presented was later put back to March 1. Although on February 16 the Netherlands Government announced its readiness to comply "in principle" with the terms of the resolution and its intention to proceed with the formation of a provisional Government of Indonesia, by the end of February the Security Council was facing a new impasse. While on the one hand the Commission's report stated that the parties had failed to reach agreement on the establishment of an interim federal government owing to the refusal of the Netherlands Government to accept the *procedures* of the January 28 resolution, the Council also had before it a counter-proposal advanced by the Netherlands on February 26 which suggested that a Round Table Conference should be held at the Hague, with the assistance of the United Nations Commission, in an effort to reach agreement on the early transfer of sovereignty. The Commission asked the Council for instructions as to the attitude it should take towards these fresh Netherlands proposals.

Opinions in the Council differed as to the advisability of accepting the Netherlands suggestion. The Indonesian Representative was frankly sceptical of Dutch intentions. The United States Delegate affirmed his Government's continued faith in the procedures outlined in the January 28 resolution. Moreover, the resolution approved by the New Delhi conference, the tone and content of which had also been critical of the Netherlands, was fresh in the minds of members of the Council. On the other hand, the Netherlands Representative alluded to the difficulties which his Government faced in complying with all the provisions of the resolution and expressed the hope that the differences might be ironed out at the proposed Round Table Conference.

At this stage of the discussions the Canadian Representative, General McNaughton, advanced a compromise suggestion designed to find a means of reconciling the January 28 resolution to which the majority of the Council attached great importance, and the Netherlands proposal for a Round Table Conference which, in itself, gave promise of a workable solution. In the Canadian view the Netherlands proposal left the door open for a direct settlement and should be welcomed by the Council, provided that the Round Table Conference were to take place with the agreement and cooperation of all the parties concerned. He suggested, therefore, that the services of the United Nations Commission should be sought, in accordance with the status of that Commission as defined in the January 28 resolution, to assist in reaching a preliminary agreement between the parties as to the time and conditions for the holding of the proposed conference. It would be understood that such exploratory discussions would be without prejudice to the rights, claims or positions of the parties. To implement this idea he suggested that rather than pass a new resolution the Council, through its President, communicate in this sense to the Commission and invite it to act accordingly.

At subsequent meetings of the Council on March 14, 16 and 21, it became clear that the members of the Council were determined to maintain the January 28 resolution as the basis of the settlement. However, the Canadian suggestion for a preliminary conference also received substantial support. On March 23 the Canadian Representative made a further statement clarifying his suggestion and emphasizing that his proposals for exploratory discussions implied no lack of faith in the January 28 resolution. On the contrary, he was proposing "a practicable course of action" which might enable the Netherlands Government and the Republicans to work out a prior agreement among themselves on those parts of the resolution which were essential before direct negotiations among all parties could take place leading to the eventual transfer of sovereignty. After discussion, the Council accepted by a vote of 8 to none with 3 abstentions the compromise suggested by the Canadian Representative*.

The preliminary talks at Batavia occupied the period between mid-April and June 22, 1949. Their success, however, was virtually assured by May 7, when broad agreement was announced on the main issues which had separated the Netherlands Government and the Republicans. On the Republican side this involved willingness: to cease guerrilla warfare; to cooperate in the maintenance of law and order; and to participate in the Round Table Conference at the Hague with a view to accelerating the transfer of sovereignty from the Netherlands to the United States of Indonesia. For its part the Netherlands Government agreed: to allow the Republican Government to return to Jogjakarta; to discontinue military operations and release political prisoners; to refrain from the establishment, expansion or recognition of provisional states on territory which had been under Republican control prior to December 19, 1948; to favour the existence of the Republic as one of the states of the eventual United States of Indonesia; and to do its utmost to promote the earliest possible calling of the Round Table Conference. On May 10, at the second part of its Third Session, the General Assembly, recognizing the prospects of success implicit in the May 7 agreement, decided to defer consideration of this item (which had been placed on its agenda at the request of India and Australia) until its Fourth Session. On June 15 the Commission invited representatives of areas in Indonesia outside the Republic to join in the preliminary talks. A week later a joint memorandum was issued stating that all the parties, assisted by the Commission, would strive for the convening of the Round Table Conference by August 1 and for the completion of the Conference by two months from that date. On June 27 Netherlands forces were withdrawn from Jogjakarta, and on July 6 President Soekarno and his leading supporters returned to their capital.

The Round Table Conference met at The Hague between August 23 and November 2 and was attended by delegations representing the Netherlands Government, the Republic of Indonesia, the Federal States of Indonesia, and by the United Nations Commission. The Conference reached substantial agreement on every issue before it except the future status of Dutch New Guinea, and outlined in four main sets of documents the conditions under which the Republic of the United States of Indonesia would come into being as an independent sovereign state. Briefly, the Hague agreement was embodied in the following documents:

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*For the text of the Security Council directive, see Appendix 19, p. 267.

(a) The Charter of the Transfer of Sovereignty: the Netherlands "unconditionally and irrevocably" transferred complete sovereignty over Indonesia to the United States of Indonesia, the transfer to take place at the latest by December 30, 1949. Since agreement had not been reached with regard to New Guinea it was provided that this Residency should continue under the Government of the Netherlands and that its future would be determined within one year from the date of transfer;

(b) Statute of Union between the Netherlands and Indonesia: the draft Statute of Union laid down the basis for the relationship of the Netherlands and the new Republic in the Netherlands-Indonesian Union;

(c) Several exchanges of notes covering the following subjects: definition and assignment of citizens between the participants of the Union; exchange of High Commissioners; cooperation in foreign relations; definition of human rights to be mutually respected; legal questions; and

(d) Agreement on transitional measures for the settlement of those subjects (mainly legal and administrative) requiring provision as the result of the transfer of sovereignty.

Finally, the agreement stated that the United Nations Commission, or some other United Nations agency, would be asked to "observe in Indonesia the implementation of the agreements reached at the Round Table Conference".

The understanding thus reached was recognized by the General Assembly in a resolution dated December 7 which welcomed the successful conclusion of the Conference, commended the parties concerned and the United Nations Commission, and welcomed the forthcoming establishment of the Republic of the United States of Indonesia. When the Security Council met, on December 12 and 13, it considered a Canadian draft resolution repeating in essence the contents of the resolution passed by the General Assembly, and requesting the United Nations Commission for Indonesia to continue to discharge the responsibilities entrusted to it by the Council and in particular to observe and assist in the implementation of the agreements reached at the Round Table Conference. This resolution was vetoed by the Soviet Union on December 13. Speaking after the vote had been taken, the Canadian Representative deplored the Soviet action and, in his capacity as President, ruled on a point of order that although the Canadian draft resolution had been defeated its rejection had no effect on previous decisions taken by the Council in this matter. Consequently the previous resolutions remained in full force and effect.

The events which took place in the Security Council at these two meetings have a procedural significance. In particular, the President's ruling that the Soviet veto of the Canadian draft resolution did not affect the validity of the previous resolutions meant that the Commission could proceed in accordance with its terms of reference under the Council resolution of January 28. This was an interesting procedural precedent in the

Council since it was the first occasion on which a veto had made no real difference to the substance of the Council's position in regard to a question on its agenda. The proceedings of December 12 and 13 undoubtedly showed the wisdom of drafting resolutions with terms of reference sufficiently broad in nature and open-ended as to duration to allow appropriate action to be taken despite the rejection of subsequent consequential resolutions.

On December 27, 1949, the transfer of sovereignty took place in Amsterdam and Jogjakarta and immediately Canada, together with the United Kingdom, the United States, India, Australia, and a number of other countries, announced full recognition of the new Republic.

By virtue of its membership of the Security Council during 1948 and 1949, Canada has had a special interest in and responsibility for the settlement of the Indonesian dispute. In general terms, Canadian policy has been based on a desire to balance long-standing friendship with the Netherlands and understanding of the problems facing the Dutch Government, with sympathy for the legitimate aspirations of Indonesian nationalism. This balance has not always been an easy one to maintain, but through its Representative on the Security Council Canada has endeavoured to perform a role of impartial mediation through the successive stages of the dispute. He was, for example, intimately concerned in the framing of the January 28 resolution and the fact that its final wording was not rejected by the parties was in some measure due to certain textual amendments which he was able to suggest. Moreover, when the Dutch showed unwillingness to accept the procedures of the January 28 resolution and countered with the proposal for a Round Table Conference, a compromise solution was achieved on March 23, 1949, as a result of Canadian initiative. This compromise bridged the gap between the positions of states which wished to adhere strictly to the January 28 resolution and the position of the Netherlands Government, which had refused to accept its detailed provisions, and paved the way for the preliminary understanding of May 7 at Batavia. Viewed in perspective this compromise proposal may be regarded as one of the vital turning points in the settlement of the Indonesian problem.

The Canadian contribution was recognized in December 1949 when the Canadian Representative, presiding over the Council's consideration of the results of the Round Table Conference, made proposals for the future activities of the United Nations Commission in Indonesia. On that occasion it was left to General McNaughton to take the lead, first in proposing that the Council should instruct the Commission to continue observing and assisting in the implementation of the agreement reached at the Round Table Conference; and then, when this step was vetoed by the U.S.S.R., in having it accepted by the Council that the Commission should in any case continue its work in accordance with the still valid resolution of January 28.

The last two years in the history of the Indonesian question have coincided with an important change in the methods used by the Security Council to deal with threats to the maintenance of international peace. It has been in Indonesia more notably than in any other region that the value and effectiveness of the new concept of United Nations mediation and conciliation have been demonstrated. Lacking the power to bring force to bear upon parties to a dispute, the Council has gradually devised less dramatic but more flexible means of exercising its responsibilities. The unobtrusive but timely activities of the United Nations Commission for Indonesia have been recognized and commended as an illustration of the new techniques which the United Nations is developing. Yet, this is not to underestimate the role of the parties directly concerned in the Indonesian dispute. Without willingness on both sides to make sacrifices, the problem might still not have been settled or might have been resolved by international pressure on the Netherlands Government of a kind which would almost certainly have poisoned relations between the Netherlands and the new Republic, and which could only have stimulated increased suspicion among underdeveloped countries of the motives of administering powers. On the other hand, the issues dividing the parties were so acute that they might not have been bridged without the assistance of an impartial agency.

Kashmir

On January 1, 1948, the Government of India lodged, with the President of the Security Council, a complaint against the Government of Pakistan, alleging that Pakistan nationals and tribesmen had invaded the State of Jammu and Kashmir, which, it was held, had legally acceded to India. The Indian Government contended that this created a situation likely to endanger the maintenance of international peace and security. Two weeks later the Government of Pakistan registered a counter-complaint in the same connection against the Government of India.

The dispute over the State of Jammu and Kashmir, affected as it has been by religious, political, economic, and military considerations, has been most difficult of solution in spite of prolonged and patient efforts at mediation under the auspices of the United Nations. The matter was repeatedly discussed in the Security Council during Canada's term of office in 1948 and 1949. On two occasions a Canadian President of the Council was required to preside over the Council's continuing attempts to mediate between India and Pakistan with a view to finding a basis on which both parties might agree. Such efforts at mediation had not, unfortunately, been successful by the end of 1949.

The United Nations Commission for India and Pakistan (UNCIP), set up by a resolution of the Security Council of April 1948 with a view to assisting in the solution of the problem by the extension of its good offices, has also, in spite of its endeavours on the sub-continent and elsewhere, been unable to bring the two parties together on a number of issues fundamental to the settlement of the dispute. It is, nevertheless, encouraging that, under United Nations mediation, a cease-fire line has been established between the opposing forces and that both India and Pakistan have agreed in principle to a free and impartial plebiscite for the whole of the area under dispute, thus enabling the people of Jammu and Kashmir to determine the ultimate disposition of their State. There remains, unfortunately, a wide gap to be bridged between the acceptance of the principle and its application.

The principal resolutions of the United Nations Commission for India and Pakistan, dated August 13, 1948 and January 5, 1949*, recorded in detail the area of agreement reached in 1948 under the mediation of the Commission. These resolutions set forth a procedure providing for a settlement of the dispute in three stages. First, it was stipulated that a cease-fire would go into effect four days after the principles embodied in the resolutions were accepted by both Governments. (Pursuant to this provision hostilities were in fact suspended on January 1, 1949, after the acceptances of India and Pakistan had been registered in late December of the previous year). Secondly, the cease-fire would be followed by a truce agreement providing for the withdrawal of Pakistan troops from Kashmir and for efforts to assure the removal of tribesmen and Pakistan nationals not normally resident in the State. The Government of India for its part would withdraw the bulk of its forces, leaving only those considered necessary for the maintenance of law and order. Finally, after the implementation of the truce, a Plebiscite Administrator to be appointed formally by the Government of Jammu and Kashmir on the nomination of the Secretary-General, would supervise the carrying out of a plebiscite. Both India and Pakistan agreed to collaborate with the Plebiscite Administrator in facilitating the repatriation of citizens of the state who left owing to the disturbances, and to assist in the creation of conditions to ensure freedom of expression at the time of the plebiscite.

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*For the text of the resolution of January 5, 1949, see Appendix 20, pp. 268-269.

In the course of its negotiations in 1948, UNCIP consulted with representatives of India and Pakistan both in the sub-continent and, during the Third Session of the General Assembly in Paris. Having secured, while in Paris, the agreement of the two Governments as to the procedure to be followed to reach a settlement, the Commission returned to the sub-continent in February 1949 with a view to implementing the truce proposals. In spite of patient and protracted negotiations, however, the Commission's efforts to find a formula acceptable to both parties under the terms of the agreed resolutions of August 1948 and January 1949 did not meet with success.

UNCIP pursued a variety of methods. It requested the two Governments to submit their own proposals. It submitted compromise formulae to both Governments on its own initiative. It sent delegations to confer with both Governments. It entrusted sub-committees with specialized tasks. The latter procedure proved successful in dealing with the military situation when agreement was reached that a "formal" cease-fire line should be demarcated, without prejudice to political issues, as a complement to the suspension of hostilities in January, noted above. Agreement on the cease-fire line was reached in July and both India and Pakistan confirmed the agreement in writing. Early in 1949 the Canadian Government agreed to a request of the Secretary-General of the United Nations to assist in providing the military observers required to help with the demarcation of the cease-fire line and to report to the Military Adviser of the Commission on the observance of the cease-fire. A group of four Canadian officers (out of a total of thirty-six observers) went to Kashmir for this purpose in January; and four others followed in September after Canada had been asked to increase its quota to this extent by the Secretary-General.

Encouraged by the success of the military sub-committee, UNCIP attempted to hold a joint "political" meeting in August 1949. While this suggestion was accepted in principle by both India and Pakistan, the two Governments were not able to agree upon an agenda and the proposed meeting had to be abandoned. Disagreement centred over the question of the "Northern Area" of the State of Jammu and Kashmir and the disbandment of the "Azad Kashmir forces". The Indian Government insisted that, after the withdrawal of Pakistan and irregular troops from certain mountainous and sparsely populated areas of Northern Kashmir, north of the cease-fire line, the evacuated areas should revert to the Indian Government for purposes of defence. The "Azad Kashmir forces" are the indigenous Kashmiri Muslim troops of the Azad (Free) Kashmir Government established in opposition to the Government of Kashmir which (in the contention of the Indian Government) agreed to the accession of the State to India. They are organized into a number of well-equipped battalions on the Pakistan side of the cease-fire line. India insisted that agreement on their disbandment should be made a condition precedent to truce negotiations. Pakistan held that the question of the disposal of these forces did not come under the agreed procedure for the implementation of a truce.

The attitudes adopted by India and Pakistan with regard to the Azads and the Northern Area reflected the fundamental difference in their understanding regarding the status of Kashmir. In the Indian view, India has legal possession of the State since the signing of the instrument of accession by Jammu and Kashmir in October 1947. The Government of Pakistan, on the other hand, considered this accession to be illegal.

Following the breakdown of the plans for a joint political meeting, UNCIP thought that the possibilities of further mediation by it under its terms of reference were exhausted. As a final effort to find a truce formula the Commission put to the parties the proposal to submit to arbitration "the differences existing between them on all questions raised by them regarding the implementation of Part II (Truce Provisions) of the resolution of August 13, 1948, the arbitrator to decide these questions according to equity and his decision to be binding on both parties". The arbitration would terminate once the truce terms were fixed. Admiral Nimitz, whose previous nomination as Plebiscite Administrator had been approved by the Government of Jammu and Kashmir, was proposed as arbitrator.

The Government of Pakistan accepted the Commission's proposals on this subject. The Indian Government, on the other hand, advised the Commission that it could not agree with the proposals, in the first place because the issues to be arbitrated had not been made specific, and secondly because it claimed that the disbanding and disarming of the Azad forces was not a matter for arbitration but for affirmative and immediate decision. The Indian Government added, however, that it was not opposed to the principle of arbitration.

Following the failure of their proposals both for mediation and arbitration, the United Nations Commission proceeded to Geneva on September 29 with a view to preparing a further interim report for submission to the Security Council. This report was signed on December 3 by the Representatives of Argentina, Belgium, Colombia, and the United States and forwarded to the Secretary-General on December 5. The Representative of Czechoslovakia submitted a minority report.

The Third Interim Report of UNCIP contained a number of important conclusions and recommendations. The Commission viewed the truce as a preliminary to the plebiscite, and held that the issues regarding the disposal of the Azad forces, the withdrawal of troops, and the garrisoning of the Northern Area, had been given undue importance. Nevertheless, the demilitarization of Kashmir was an essential prerequisite to the holding of a fair and impartial plebiscite. Secondly, the Commission concluded that within the framework of its terms of reference and following in its endeavours the agreed resolutions of August 1948 and January 1949, the possibilities of mediation open to it were exhausted. A single person in their view, rather than a five-man commission, might now more effectively conduct negotiations. Finally, as arbitration had not been rejected in principle by India and had been accepted by Pakistan, further consideration should be given to the use of this procedure. The principal recommendation of the Commission was that the Security Council should consult with the two Governments concerned in order to arrive at terms of reference for a United Nations representative, who would proceed to the sub-continent invested with broad authority from the Council to bring the two parties together on all unresolved issues.

At the 457th meeting of the Security Council held in New York on December 17, the Third Interim Report was considered. After a short statement by the Chairman of the Commission, the Representative of Norway proposed that the President of the Council (General McNaughton) meet informally with the Representatives of India and Pakistan with a view to finding a mutually satisfactory basis for a solution of the Kashmir problem, reporting back to the Council any proposal which might develop. The President agreed to accept this responsibility and the Norwegian motion which had been supported by the United Kingdom and French Representatives was adopted by 9 votes to none with 2 abstentions (the U.S.S.R. and the Ukraine).

The general considerations underlying the proposals* subsequently developed by General McNaughton and submitted to the Governments of India and Pakistan through their Representatives in New York do not depart from the broad line of procedure set forth in the UNCIP resolutions of August 1948 and January 1949, agreed to by India and Pakistan. They emphasize however the necessity of avoiding unprofitable legalistic discussion of disputed issues of the past. Specifically, the McNaughton proposals provided for an agreed programme of progressive demilitarization, the basic principle of which would be the reduction of the armed forces on both sides of the cease-fire line in such a way as not to cause fear at any time to the population on either side. The recommendations further stipulated that local forces on both sides of the cease-fire line should be reduced by disarmament and disbandment. It was provided that the "Northern Area" should be demilitarized and that its administration under United Nations supervision should be carried on by existing local authorities. Pakistan was to be required to give a guarantee with a view to preventing the incursion of tribesmen into Jammu and Kashmir from Pakistan. A United Nations Representative was to be charged with the duty of interpreting the agreement reached between the two governments on the programme of progressive demilitarization, and of ensuring the implementation of these plans. When this stage had been completed to the satisfaction of the United Nations Representative, the Plebiscite Administrator was to proceed to exercise the functions assigned to him under the UNCIP resolution of January 5, 1949.

General McNaughton tabled his proposals at the 458th Meeting of the Security Council on December 29, 1949 and stated** that, while replies to these proposals had been received from the Governments of India and

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*For the text of the proposals, see Appendix 21, pp. 270-271.

**Excerpts from General McNaughton's speech in the Security Council are given in Appendix 22, pp. 272-273.

Pakistan, there had been no opportunity to study them. He took the view that adequate time should be given for both parties to consider each other's suggested amendments before requiring them to take up public positions from which it might be difficult to withdraw. The Representatives of Norway, the United Kingdom, the United States, France, and China expressed their approval of the approach submitted by the President. The Norwegian Representative further suggested that General McNaughton be entrusted to continue his mediatory role after his term of office as President of the Security Council expired on December 31; the Representative of the U.S.S.R. took exception to this proposal. The question of the procedure by which negotiations between India and Pakistan might be carried forward was left to the reconstituted Security Council meeting early in 1950, but in the interval General McNaughton undertook to continue to act as a channel of communication between the parties and to report thereon to the Security Council when required.

China

China's case against the Soviet Union before the United Nations was a charge of treaty breaking and violation of the Charter of the United Nations made by one permanent member of the Security Council against another. The implications of such accusations could not be overlooked, in view of the prime responsibility of the Security Council in maintaining world peace. Canada therefore supported China's request that the matter be placed on the agenda of the Fourth Session of the General Assembly. On September 29, 1949, the General Assembly referred to the Political Committee the item submitted by the Chinese Delegation entitled "Threats to the Political Independence and Territorial Integrity of China and to the Peace of the Far East, Resulting from Soviet Violations of the Sino-Soviet Treaty of Friendship and Alliance of August 14, 1945 and from Soviet Violations of the Charter of the United Nations".

When the case was considered by the Political Committee, the Soviet Representative denied the right of the General Assembly to hear it, on the grounds that the Chinese Communist government was the only lawful government of China. He declared further that he would neither participate in the debate nor recognize any decision which might be taken in the matter either by the Assembly or by the Political Committee. The Representatives of Byelorussia, the Ukraine, Czechoslovakia, and Poland adopted a similar position.

On November 25, the Chinese Delegate, Dr. Tsiang, delivered a lengthy statement, supported by considerable documentation, in evidence of his charges that Soviet Russia had contravened the Sino-Soviet Treaty of 1945 and had acted in violation of the Charter of the United Nations by jeopardizing the independence of China, through assisting in the violent overthrow of the recognized Government. The Chinese statement was intended to present a *prima facie* case that the Soviet Union had failed to fulfil its obligations under the exchange of notes annexed to the Treaty of Friendship and Alliance between China and the Soviet Union; in particular with regard to obligations to give moral support and military aid exclusively to the National Government as the central Government of China and to respect China's full sovereignty over all Manchuria, including the cities of Dairen and Port Arthur.

The Chinese Representative submitted a draft resolution to the Political Committee condemning the U.S.S.R. for violation of the Sino-Soviet Treaty and of the United Nations Charter; urging member states to refrain from giving military aid to the Chinese Communists; recommending that diplomatic recognition should not be accorded to the Chinese Communist regime; and calling upon states to refrain from taking advantage of the existing situation in China for any purpose incompatible with the political independence and territorial and administrative integrity of China. In the final outcome the Chinese Delegate did not press for a vote on his resolution, since it appeared that he was going to be afforded an opportunity to elaborate his charges in the Interim Committee of the General Assembly.

On November 28, the Representatives of Australia, Mexico, Pakistan, the Philippines and the United States submitted a joint draft resolution entitled "Promotion of the Stability of International Relations in the Far East".* This resolution was of a general character, in effect reiterating the principles of the "open door" policy regarding China and calling for respect for China's political and administrative integrity. The resolution was later adopted in the General Assembly by a vote of 45 in favour (including the United Kingdom and China) and 5 against (the Soviet bloc), with no abstentions. The Canadian Delegation supported the resolution, being fully in accord with the principles of policy enunciated in it.

During the course of the debate in the Political Committee it became evident that a number of delegations, particularly some from Latin America, while agreeing with the joint Five-Power resolution, did not believe it went far enough to meet the wishes of the Nationalist Government of China for judgment on its charges against Soviet Russia. Moreover these delegations did not agree with the view held by others that, because of the uncertainties of the political position in China, the Chinese question should be disposed of at the Fourth Session of the Assembly and not carried over to future sessions. Accordingly, the Representatives of Cuba, Ecuador and Peru submitted a joint resolution, proposing that the matter of the Chinese charges against the Soviet Union should be referred to the Interim Committee of the Assembly for continued study and examination and that the Interim Committee should report to the next session of the Assembly with its recommendations. A Uruguayan amendment was incorporated in the resolution, authorizing the Interim Committee to bring the question of China to the attention of the Secretary-General in order that a report might be made to the Security Council, if such action were deemed necessary. When this resolution came before the General Assembly, the sponsors added a further amendment which had the effect of linking the Latin American resolution more closely with the joint Five-Power resolution by providing for a reference to the Interim Committee of any other charges of violation of the principles contained in the Five-Power resolution. The revised resolution regarding reference of the Chinese charges to the Interim Committee was adopted in the General Assembly by a vote of 32 in favour, including the United States, 5 against (the Soviet bloc) and 17 abstentions, including the United Kingdom and Canada.**

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*For the text of the resolution, see Appendix 23, p. 273.

**For the text of the resolution, see Appendix 24, p. 274.

Canada did not play a major part in the debate on the Chinese question. The Canadian Delegation supported the placing of the item on the agenda of the Fourth Session because it considered that the Representative of the Chinese Nationalist Government should not be denied an opportunity of receiving a full hearing before the United Nations of his charges against the Soviet Union. On the other hand the Canadian Representative in the Political Committee expressed doubt as to the value of referring the case to the Interim Committee. This attitude was consistent with Canadian policy to avoid advocating in the United Nations action which does not appear to accord with practical realities. The Canadian view was that it would be preferable to complete the hearing of the Chinese complaint at the Fourth Session of the Assembly and that the existing political situation in China made it inadvisable to carry the matter into future sessions.

Korea

Canadian interest in the problem of Korean independence derives not only from Canada's general responsibility as a member of the United Nations but also from its direct concern for the re-establishment of conditions of peace and security in the North Pacific area. This interest was, of course, heightened by Canada's participation in the work of the United Nations Temporary Commission on Korea during the year 1948. Although Canada withdrew from the Commission at the end of that year, the Canadian Government was far from abandoning its interest in the developing situation in Korea. The progressive expansion of Communist influence and domination in China and the Far East emphasized the need for Canada to join in encouraging the democratic elements in South Korea. Canadian appreciation of these considerations was manifested in April 1949, when the Canadian Representative in the Security Council supported the application of the Republic of Korea for admission to the United Nations. In setting forth the reasons for Canada's action the Canadian Representative stated: "The Republic of Korea has accepted the obligations of the Charter. We are satisfied that it is a peace-loving state able and willing to fulfil its obligations. We are, therefore, in full accord with the recommendations of the (Membership) Committee." Although this application was vetoed by the U.S.S.R., the Secretary of State for External Affairs, in a Note dated July 14, informed the Korean Foreign Minister that Canada regarded its favourable vote in the Security Council as constituting full recognition by the Canadian Government of the Republic of Korea as an independent sovereign state with jurisdiction over that part of the Korean peninsula in which elections were held on May 10, 1948.

Previously, in December 1948, the General Assembly, in the face of strong Soviet opposition, had approved the Report of the Temporary Commission and had re-established it for an indefinite period as the United Nations Commission on Korea. The resolution containing these decisions declared that a lawful government had been established with effective control and jurisdiction over South Korea; that this was the only such government in Korea; and it recommended that the occupying authorities should withdraw their forces from Korea in the shortest practicable time.

In the same resolution the Assembly instructed the Commission to continue its efforts to bring about the unification of Korea; to seek to facilitate the removal of economic and social barriers between North and South Korea; to assist in the further development of representative government; and to observe the withdrawal of occupying forces. Canada's offer to withdraw from the Commission in order to help reduce its membership to a working number was accepted, and the Commission thus returned to Korea in January with seven states represented (Australia, China, El Salvador, France, India, the Philippines and Syria).

As the Commission's report to the Fourth Session of the General Assembly showed, most of the objectives assigned to the United Nations Commission on Korea were unattainable. The world-wide differences between the U.S.S.R. and the non-Communist nations had continued to hinder the unification of Korea on the basis of the principles approved by the General Assembly. The U.S.S.R. had maintained its refusal to have any dealings with the Commission, and efforts to make contact with the North Korean authorities had failed. The new Republic of Korea was being threatened by the increased incidence of insurgent uprisings and border clashes along the 38th parallel, dividing North from South Korea. Apart from its observation of the withdrawal of United States occupation forces in June 1949, the Commission thus had little to show for its year's work. In submitting its conclusions, the Commission refrained from recommending that its own mandate should be renewed, although it did record the request of the Republic of Korea that "the stay of the Commission in Korea be prolonged for another year". The final conclusion reflects the sense of the whole report in its admission that "the situation in Korea is now no better than it was at the beginning and that (the Commission) has not been able to facilitate the achievement of the objectives set by the General Assembly".

When the General Assembly considered this Report at its Fourth Session, the debates were marked by renewed expression of the long-standing differences between East and West on the Korean question. At the outset of the debate in the Ad Hoc Political Committee a representative of the Republic of Korea was invited to participate without vote in the Committee's discussion. A counter-proposal by the U.S.S.R. to extend a similar privilege to a spokesman for the authorities of Northern Korea was decisively rejected by the Committee. A detailed statement followed from the representative of the Korean Government, who outlined the major developments in the Republic since its inauguration, and asked that the Commission be continued with the assistance of military observers to report on border violations along the 38th parallel.

The remainder of the debate centred on two diametrically opposed resolutions dealing with the future of the Korean Commission. A proposal by the U.S.S.R. condemned the past activities of the Commission and urged its abolition. A joint resolution submitted by the United States, Australia, China, and the Philippines, recommended that the Commission should continue in being with authority to appoint at its discretion observers to assist it in reporting on "developments which might lead to or otherwise involve military conflict in Korea". The Soviet resolution received support only from the remaining five Communist delegations and was rejected by a heavy majority both in the Committee and in the full Assembly. The joint proposal, on the other hand, won wide support, and having been approved by the Committee, was adopted in the General Assembly by a vote of 48 in favour (including Canada), 6 against, and 3 abstentions.

Thus, although the Commission had been prevented from achieving its objectives, the great majority of the Assembly not only supported its continuation but endowed it with the increased authority to appoint observers. In supporting this decision, member states were undoubtedly prompted by a realization of the growing threat brought about by the border troubles along the frontier between North and South Korea. Furthermore, in a broader sense the Assembly's action would appear to represent an implied recognition of the stabilizing influence which United Nations commissions have exerted in such unsettled areas as the Balkans, Indonesia, and Kashmir.

Finally, the nature of the Commission's functions have, as a result of the Assembly's new resolution, undergone a significant change. Its original function was to contribute to the unification of North and South Korea. For reasons which have been explained, hopes of achieving this objective have faded, although it still remains the ultimate goal. A more immediate task now confronts the United Nations in Korea. The Assembly's decision to continue the Commission and to permit it to appoint observers may be interpreted as a recognition of the need for a stabilizing element in Korea which might, by its presence, exercise a restraining influence on the opposing factions and which could, in the event of an armed outbreak, keep the United Nations fully informed.

Indians in the Union of South Africa

Three times in the past three years the Government of India has complained to the General Assembly that the Government of South Africa continually discriminates against the people of Indian origin living in the Union. South Africa's policy of racial segregation has been denounced by India as a violation of the human rights provisions of the Charter, as a "situation . . . likely to impair the general welfare or friendly relations among nations" and as a violation of Indian-South African treaty obligations. In reply, South Africa has always maintained that the Assembly is not competent to deal with this question which is a matter essentially within her domestic jurisdiction. The provision of the Charter, namely, Article 2(7), which specifically precludes the United Nations from intervening in the domestic affairs of states has been cited by South African delegations in defence of their position. South Africa has further maintained that the "Cape Town Agreements" of 1927 and 1932 were not treaties, and that the living conditions of coloured people in the Union have been misrepresented by India in the Assembly debates.

The debates on this issue at the Assembly sessions in 1946 and 1947 were inconclusive. When, in the spring of 1949, the second part of the Assembly's Third Session again considered the matter at India's request, the Indian Delegation charged that South Africa had continued in its failure to comply with the Assembly's 1946 resolution on this subject. This resolution, which had not been repudiated as a result of the debates at the 1947 session, declared that friendly relations between two member states had been impaired because of the treatment of the Indians in South Africa; expressed the opinion that Indians in the Union should be treated in accordance with the relevant provisions of the Charter and with the previous agreements concluded between the two governments; and urged that measures be adopted to give effect to the principles therein contained and that any such measures be reported to the Assembly's next session.

Referring to this resolution, the Indian Delegation based its case, as before, both on the human rights provisions of the Charter, and on the alleged obligations of South Africa under the terms of its previous agreements with India. In reply, the Representative of the new South African Government maintained the position taken by the South African delegations in 1946 and 1947.

Several approaches to this problem were made in the course of the Assembly debate. At one extreme South Africa called upon the Assembly to decide that the question of the treatment of Indians in the Union was a matter which did not fall within the competence of the General Assembly. At the other extreme India called upon the Assembly to decide in effect that the treatment of persons of Indian and Pakistani origin in the Union was not in conformity with the provisions of the Charter, with the resolutions of the Assembly, or with other relevant international instruments. The Indian proposal would further have had the Assembly establish a commission to study the situation in South Africa and to recommend what should be done to solve the problem.

A majority of members of the Assembly, including Canada, favoured a middle or compromise course which was eventually approved on May 14, 1949, by an overwhelming vote of 47 to one with 10 abstentions. This resolution invited the Governments of India, Pakistan and South Africa "to enter into discussions at a round table conference taking into consideration the purposes and principles of the Charter of the United Nations and the Declaration of Human Rights". The Assembly's recommendation that these three Governments should hold a round table conference had in effect been previously proposed in 1947 but had failed to obtain the necessary support. The reference in the 1949 Assembly resolution to the Universal Declaration of Human Rights (approved by the Assembly in 1948) did, however, introduce a new note. The parties to the proposed conference were asked to take into consideration the purposes and principles embodied in this Declaration as well as those of the United Nations Charter.

Canada voted in favour of the majority resolution. In his statement, the Canadian Representative recommended that the governments concerned should renew their efforts to reach agreement by methods of their own choice, and expressed the hope that they would be able to reach a mutually satisfactory settlement. As regards the competence of the Assembly to consider this question, the Canadian statement referred to the distinction which must be drawn between the right of the Assembly to discuss and its competence to intervene.

On August 5, 1949, Pandit Nehru announced that India had proposed to Pakistan a joint approach to South Africa regarding the round table conference recommended by the Assembly resolution, and had also received in reply from South Africa a suggestion that India send a representative to South Africa for preliminary discussions. Both Pakistan and India later accepted invitations to meet in Durban for preliminary talks on an agenda for a round table conference. Although these conversations, scheduled to begin in the spring of 1950, are intended only to consider an agenda for "possible future discussions", they will nevertheless be a necessary and perhaps fruitful step in the direction of the procedure recommended by the Assembly resolution of May 1949.

III.

CONSTITUTIONAL QUESTIONS

Admission of New Members

Article 4 of the Charter provides that membership in the United Nations is "open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations". Admission of any such state "will be effected by a decision of the General Assembly upon the recommendation of the Security Council".

There are two constitutional points relevant to these provisions. The first is that the admission of new members has been considered to be a substantive rather than a procedural matter, and therefore subject to the veto in the Security Council. The second point is that, by Article 18(2) of the Charter the General Assembly's decision to admit an applicant state must be made by a two-thirds majority of the members present and voting. To gain admittance to the United Nations, therefore, a state, under this interpretation of the Charter, must receive at last seven affirmative votes in the Security Council, and no negative vote from a permanent member; and must also receive, in the General Assembly, the affirmative vote of two-thirds of the members present and voting.

During the past year, there has been no fundamental change in the position of the Soviet bloc and the majority of the United Nations on the question of new admissions. By the end of 1948, the number of outstanding applications stood at thirteen; in 1949 the only one of these to be admitted was Israel, whose membership, which had been supported by Canada, was formally approved on May 11. The remaining applications, to which Korea and Nepal have been added, fall into two groups: the seven countries which have gained a majority both in the Committee on the Admission of New Members and in the Security Council, but whose admission has been blocked by the Soviet veto (Portugal, Jordan, Finland, Ireland, Italy, Austria, Ceylon); and the five satellite states which are sponsored by the U.S.S.R. and which have not obtained the support of the majority either in the Committee or in the Security Council (Albania, the Mongolian People's Republic, Bulgaria, Roumania, and Hungary). The applications of Korea and Nepal, which were dealt with independently, were vetoed by the U.S.S.R. on April 5 and September 7 respectively. The remaining twelve cases were considered together at a series of Council meetings between June and September. At these meetings the U.S.S.R. introduced a proposal designed to attract those member states which had previously expressed themselves in favour of the principle of universality of membership. The Soviet Representative formally proposed that the Security Council should lump all outstanding applications together (except those of the Republic of Korea, whose Government the Soviet Union does not recognize, and Nepal, whose application was at the time still under consideration in the Security Council's Membership Committee) and by a single vote recommend to the General Assembly that they be admitted to the United Nations *en bloc.*

This proposal, while it obviously had a certain degree of popular appeal, did not commend itself to the majority of members of the Council. It was, as the Canadian Representative pointed out, contrary to the Charter in that it disregarded the specific terms of Article 4. In the view of the Western Powers the admission of such states as Bulgaria, Hungary, and Roumania, which have refused to carry out certain terms contained in their Peace Treaties, and the admission of Albania, which has been providing active assistance to the Greek guerrillas, would be a violation of the Charter of the United Nations. Furthermore, the majority of delegations had serious doubts that the Mongolian People's Republic possessed the necessary attributes of independent statehood to qualify it to serve as a sovereign member of the United Nations. In view of these factors, the majority of the Security Council denounced this Soviet manoeuvre as a crude attempt to bring about the admission of five more Soviet satellites, regardless of their qualifications. As a result the Soviet proposal and the applications of the Soviet satellites were rejected by majority votes; while the Soviet Representative, by exercising his veto seven times, denied admission to Portugal, Jordan, Finland, Ireland, Italy, Austria and Ceylon.

The Fourth Session of the Assembly in 1949 considered the question of new admissions as a separate item on its agenda and in nine separate resolutions reiterated its request that the Security Council should reconsider all those applications which had previously been vetoed. This the Assembly did after recording its determination that these states were fully qualified for membership and that the opposition to them in the Security Council had been based on unconstitutional grounds. Canada supported each of the nine resolutions put forward in this sense by the Australian Delegation. The Assembly also approved an Iraqi proposal requesting the permanent members of the Security Council to refrain from using the veto on membership applications and requesting the Council "to keep under consideration, in the light of Article 4, paragraph 1 of the Charter, the pending applications of all states which so far have not gained admission to the United Nations". The Canadian Delegation abstained in the voting on the final form of this proposal because it repeated in part the wording of the nine resolutions already approved. Finally, the Assembly asked the International Court of Justice to deliver an advisory opinion on whether the admission of a state could be effected by a decision of the Assembly when the Security Council had failed to make a recommendation either because the application had not obtained the requisite majority of votes or because a permanent member had exercised its veto. Canada also abstained on this resolution because in the Canadian view it was doubtful if the International Court would find itself able to interpret the powers of the General Assembly in the manner suggested, and because a negative opinion from the Court might make it more unlikely that the permanent members of the Security Council would ever agree to relinquish their veto power on applications for membership.

Interim Committee

During the second year of its existence the Interim Committee (or Little Assembly) was not called upon to perform any spectacular functions. Its effectiveness as a subsidiary organ of the General Assembly was seriously limited by the refusal of the Communist delegations to participate in its meetings, and the tasks which it did discharge, though constructive in themselves, were not such as to draw attention to the Committee's work. In spite of its unpretentious record of achievement, however, there was no general disposition to abolish the Interim Committee, although during the Fourth Session of the General Assembly certain proposals were put forward with a view to reconstituting it on a different basis. After these had been discussed, the Committee was re-established by the General Assembly on a continuing basis without change in its terms of reference. Later it was entrusted with new and specific political tasks with regard to the final disposal of the former Italian colonies in Africa, and to the question of Nationalist Chinese charges against the Soviet Union.

The Third Regular Session of the General Assembly had re-established the Interim Committee for a further period of one year with substantially the terms of reference which it had originally been given. The Committee met early in 1949 and decided to continue the studies which it had begun in 1948 on methods for the promotion of international cooperation in the political field. It was in this regard that the Interim Committee was able to carry out its most detailed and useful work during 1949. While recognizing that it would later be necessary to extend its study to other aspects of international cooperation, the Committee decided early in the year to accord priority to work on existing procedures and machinery of pacific settlement. It therefore decided to undertake a systematic study of the organization and operations of United Nations commissions and of methods for the settling of disputes and special political problems by the General Assembly. The Committee was not able to explore all the problems involved in the operation of United Nations commissions, but it did produce a study touching upon the most important aspects of the question, using as a basis for its work eleven memoranda prepared by the Secretariat on the organization and procedure of particular commissions. Time did not permit a complete study of many of the most important related problems. Among the tasks which the Committee plans to take up are an analysis of the functions performed by the United Nations Commission on Korea, and a study of the practical problems connected with the material organization of commissions, their manner of communication, the organization and methods of observer groups, and the methods employed by commissions in performing the functions of investigation, truce supervision, conciliation, good offices and mediation, and particularly the interrelationship of these functions.

In March 1949, in accordance with the instructions of the Third Session of the General Assembly, the Interim Committee started a review of its own constitution, duration, and terms of reference. A sub-committee, which was established to undertake these studies, recommended the re-establishment of the Interim Committee for an indefinite period without change in its terms of reference. In October 1949, when the Ad Hoc Political Committee of the General Assembly discussed the matter, the debate centred upon these organizational considerations. The preoccupation of the

Interim Committee and the General Assembly with this question gave evidence of a growing sense of dissatisfaction among a number of delegations with the role of the Interim Committee. This dissatisfaction is at least partially attributable to the dearth of important political work assigned to this body since its inception, and its consequent lack of spectacular achievement. Moreover, many delegations expressed the view that the Interim Committee would never be able to perform important political functions until the Soviet bloc could be induced to participate in its work. Three main approaches developed in the Assembly concerning the constitution and functions of the Committee. The first of these, sponsored mainly by Venezuela and Bolivia, was designed to reach a compromise which would modify the Interim Committee's terms of reference in such a way as to induce the Soviet bloc to participate. This offer was coldly rebuffed by the U.S.S.R. and its satellites, all of whom reiterated their opposition to the Committee and their claim that it had been constituted in violation of the Charter. The Yugoslav Representative took a position which, though not directly at variance with that of the Cominform delegations, made it plain that Yugoslavia was prepared at least to reconsider its attitude towards the Interim Committee. Certain other delegations, notably that of Panama, suggested a second approach. They put forward proposals which would have greatly extended the powers and the terms of reference of the Interim Committee with a view to increasing its usefulness as a subsidiary body of the General Assembly. Early in the discussions in the Ad Hoc Political Committee in October 1949 it became apparent that neither of these two approaches was practicable, chiefly because of the uncompromising attitude of the Cominform representatives.

Standing between these two extremes were the majority of delegations which favoured continuation of the Interim Committee without any change in its terms of reference. The Canadian Representative spoke in support of the majority attitude. Those delegations which, like Canada, supported the Interim Committee's continuation for an indefinite period did so on three main grounds. In the first place, they considered it important that the General Assembly should have a subsidiary body ready to meet immediately should a political emergency arise during the interim between sessions of the General Assembly. Secondly, they argued that the continued existence of the Committee was all the more essential since it is the only organ which is in a position to do preparatory work for the General Assembly in the political and security field. Thirdly, they pointed out that there were good reasons for continuing the Interim Committee, despite the forced limitations of its operations, if only because it was the sole body initiating the important studies (on methods for the promotion of international cooperation) assigned to the General Assembly under Article 13 of the Charter.

The recommendation of the Interim Committee that it be continued for an indefinite period without change in its terms of reference was adopted by the General Assembly on November 21 by a vote of 45 for, 5 against, with 4 abstentions.

The debates at the Fourth Session of the General Assembly had shown that many delegations, while not disposed to recommend abolition of the Interim Committee, were nevertheless dissatisfied in varying degrees with its performance. In this connection it is noteworthy that the Assembly assigned new functions for 1950 to the Committee both with regard to the Chinese issue and to the final disposal of Italy's former colonies in Africa.

In the period between the Fourth and Fifth Sessions of the General Assembly the Committee has been asked to give "continuous examination and study" to the question of threats to the political independence and territorial integrity of China and to the peace of the Far East; and to bring the question to the attention of the Secretary-General with a view to reporting it, if necessary, to the Security Council. The Committee has also been asked to consider the report and proposals of the Commission which is to be sent by the Assembly to Eritrea to examine the question of the disposal of that colony in East Africa. Further, it has been called upon to study "the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement". In both the latter cases the Interim Committee has been instructed to report with its conclusions to the Fifth Session of the General Assembly.

Thus, for the first time since it considered the Korean question early in 1948, the "Little Assembly" will be dealing with specific political problems. The success which it has in discharging these responsibilities may be expected to have an important bearing upon its future.

United Nations Field Service and Panel of Field Observers

On November 22, 1949, the Fourth Session of the General Assembly agreed, over the opposition of the Soviet bloc, to the establishment of a United Nations Field Service and Panel of Field Observers. The initiative in this matter had been taken by the Secretary-General who had, during the first part of the Third Session of the General Assembly, proposed the creation of a "United Nations Guard" to assist United Nations missions in the field. In its original form this proposal provided for a guard force 800 strong consisting of a 300-man nucleus and an international volunteer reserve cadre of up to 500 men. The subject was not discussed until the second part of the Third Session in April 1949, by which time the Secretary-General had further elaborated his original suggestions. The Assembly was, however, reluctant to take definitive action on the matter at that time and there was general support for a Philippines proposal that a special committee be appointed to study the establishment of a United Nations Guard and to report to the Fourth Session.

In accordance with a decision in this sense by the General Assembly, a special committee consisting of representatives of fourteen countries (not including Canada) held its first meeting on June 24, 1949, and received a revised proposal from the Secretary-General. It was in this revised proposal that the Secretary-General suggested the establishment of two units, a United Nations Field Service and a "Field Reserve Panel". The former would consist of 300 men recruited by secondment from national governments to provide: transport for missions; experts on radiocommunications for missions; security of members of United Nations missions and U.N.

premises; safe custody of supplies, records, and archives; maintenance of order during meetings, hearings, and investigations; and guard duty at headquarters. The members of the Field Service would not normally be supplied with arms, neither would they be employed in the observation of truce terms, the protection of places neutralized during a truce, or the supervision of polling places during a plebiscite. When necessary these latter functions would be performed by persons selected from a "Field Reserve Panel", which would merely be a list of names of qualified persons to be called for service in response to a specific decision by the General Assembly or the Security Council or an organ authorized by them. The committee completed its work on August 9 by adopting a Report to the General Assembly. At the request of the Soviet Union the Report included a section stating in full the views of the Communist minority. From the first the Soviet Union and its satellites have vigorously opposed the establishment of the proposed new services. In the view of the Communist delegations the new services would be military or semi-military in character and therefore would contravene the provisions of Chapter VII of the Charter which stipulates that the Security Council alone can recruit armed forces.

On the other hand the majority of the committee held that the establishment of the Field Service and the Panel of Field Observers (as it came to be entitled) would in no way contravene the Charter. The former could not be considered an armed force under Article 43 nor could it ever be used for enforcement purposes under Chapter VII. The Field Service, in the view of the majority, stood on the same legal basis as any other unit of the Secretariat and full authority for the establishment of such a service was provided in Article 97 which states that "the Secretariat shall comprise the Secretary-General and such staff as the organization may require". As for the Panel, the majority thought that it should be available for the sole purpose of assisting missions engaged in truce observations and in the supervision of plebiscites and that the members of the Panel could not be considered as members of an "armed force" under Article 43. On one important point the special committee took issue with the Secretary-General's suggestions. The committee recommended that the Field Service be recruited in accordance with the normal practice of the Secretariat, i.e. by direct recruitment rather than through secondment from member governments. The main purpose behind this change was to avoid serious inequalities of pay. The committee noted the Secretary-General's estimate that the cost of maintaining a 300-man Field Service, assuming that 200 of these would be stationed in the field, would be $1,783,000 or some $233,000 more than the annual cost of maintaining the existing services of 200 persons in the field.

When the Ad Hoc Political Committee of the General Assembly discussed the special committee's Report, the representatives of the minority and majority maintained the positions which they had advanced in the committee. The Secretary-General in his submission emphasized that the proposed services "in no way involved Article 43 of the Charter and were not designed to act in any way as a military force or for the enforcement of Security Council decisions". The Communist minority maintained its legal and political objections to the Field Service and the Panel, while the majority considered that the objections raised were unfounded and that the proposed services would help to strengthen the action of the United Nations. There was some disposition to doubt the practical value of the

Panel of Field Observers but when the vote was taken the Assembly carried, by a vote of 46 to 5 with 3 abstentions, a resolution taking note of the intention of the Secretary-General to establish the Field Service; and adopted, by a vote of 38 to 6, with 11 abstentions, a similar resolution requesting the Secretary-General to establish and maintain a list of qualified persons "to be called to service in response to a specific resolution by a competent organ of the United Nations". The list would be based on the principle of equitable geographical distribution. The amount of $337,000 was added to the United Nations budget to cover the cost of initiating the Field Service.

The Canadian position has been broadly in favour of the establishment of the Field Service and the Panel of Field Observers and Canada was among the substantial majorities voting in favour of the relevant resolutions at the Fourth Session of the General Assembly. In particular, the Canadian Representative in the Fifth Committee drew attention to the importance of proceeding cautiously in the development of the Field Service so as to ensure the maximum of efficiency and economy in operation. He also urged the Secretary-General to give careful consideration to further economies that might be achieved through the absorption of the existing Headquarters Guard Force into the Field Service.

Methods and Procedures of the General Assembly

The ever increasing length of the sessions of the General Assembly has for some time been a matter of concern to a majority of members of the United Nations. While it is obviously desirable that member states should send high ranking representatives to the Assembly, it is at the same time unreasonable to expect such persons to be absent from their duties at home for long periods of time each year. Experience has shown that if the meetings are unduly protracted, much of the Assembly's work must be left in the hands of deputies who are usually not empowered to make important policy decisions without prior reference to their governments. The result is that the duration of the General Assembly is further lengthened, its effectiveness reduced, its prestige impaired, and the cost of its operations substantially increased. For these reasons there has been a determined effort on the part of several member states, including Canada, to explore every practicable method of shortening the sessions, while at the same time preserving the Assembly's essential function as the highest deliberative forum in the world.

Canada has been closely associated with previous efforts to economize the time of the General Assembly. As a result of Canadian initiative at the second part of the First Session of the Assembly, a Committee on Procedures and Organization was established to meet two weeks before the opening of the Second Session to discuss the possibility of improving the existing rules. Under the chairmanship of the Canadian Representative this Committee suggested a number of amendments which were later amplified by the Legal

Committee and adopted by the Assembly on November 17, 1947.* However, during the Third Session, it became apparent that further time-saving measures were required.

Accordingly, on April 29, 1949, the General Assembly established a Special Committee on Methods and Procedures to study ways and means whereby the Assembly would be enabled "to discharge its functions more effectively and expeditiously". The Special Committee consisted of representatives from the following states: Belgium, Brazil, Canada, China, Czechoslovakia, Egypt, France, India, Iran, Mexico, Sweden, the U.S.S.R., the United Kingdom, the United States and Uruguay. This Committee met during June, July and August of 1949, and its Report was placed on the agenda of the Fourth Session of the General Assembly.

After discussion by the Legal Committee and the Assembly itself, nearly all the Special Committee's proposed amendments were adopted and, in addition, a number of new proposals which had not been submitted by the Special Committee were approved. As a result of these discussions a total of more than twenty amendments to the Rules of Procedure will come into force on January 1, 1950.

Briefly, these amendments can be divided into two principal categories:

(a) proposals designed to reduce unnecessary repetition of debate; and

(b) proposals designed to give more authority to the President of the Assembly and to the chairmen of the main committees in taking the initiative to expedite the business of the Assembly.

The amendment to Rule 59 may be cited as an illustration of the first category. As originally worded, this Rule permitted the Assembly to hold discussion in plenary session on a report of a main committee if one-third of the members so desired. Experience has shown that, in practice, the President always assumed that at least one-third of the members *did* desire a discussion of committee reports, with the result that the full Assembly spent a great deal of time in going over the ground which had already been covered in committee. In the revised wording of Rule 59, however, a provision is added according to which any proposal to discuss a committee report must itself be put to the vote immediately and without debate. Thus, where the Rule was formerly inadequate, it now specifically provides a quick method of ascertaining whether the required majority of the Assembly are in favour of discussing a particular committee report. By this means a workable procedure is established by which a two-thirds majority of the Assembly can prevent repetitious debate in plenary session on a main committee's report. The extent to which this procedure is used will depend partly on the willingness of the President of the Assembly to invoke Rule 59 and partly on the initiative shown in the plenary sessions by delegations which wish to prevent unnecessary debate.

The discussion on this subject brought into the open the concern of many delegations, notably those of the Soviet bloc and the Latin American group, that, in attempting to avoid repetitious debate, the Assembly might lean too far in the opposite direction and place undue restriction on freedom of discussion in the Assembly. The Canadian attitude on this point was based on a desire to eliminate the repetition of speeches obviously designed more for propaganda purposes or for domestic consumption than for the purpose of promoting a solution to the problem under discussion.

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*For a discussion of these amendments to the Rules of Procedure, see *Canada at the United Nations, 1947*, Conference Series 1947, No. 1, pp. 169-170.

To this end Canada would have preferred, and indeed had earlier joined in proposing, an even stronger amendment to Rule 59. When this failed to gain sufficient support, the Canadian Delegation voted in favour of the compromise solution outlined above, which was finally adopted by the Assembly.

Further measures designed to limit unnecessary debate are contained in the amendments to Rules 65 and 103. In their original form these Rules merely permitted the Assembly and its committees to limit the time to be allowed to each speaker. As revised they provide that, in addition, a speaker may be limited as to the number of times he may intervene in the debate on any one item.

In approving these proposals for amendment of the Rules, the Assembly also aimed to strengthen the authority of the President and the chairmen of committees in their efforts to control debate. It was with this end in view that a Canadian proposal to authorize these officers to limit the time of speakers on procedural motions was adopted.

The Assembly also adopted two important amendments relating to the procedure to be followed in the General (or Steering) Committee. The functions of this Committee have now been strengthened to authorize that body, in its examination of the provisional agenda of the Assembly, to recommend against the inclusion of any item. Furthermore, a Canadian suggestion to the effect that debates in the General Committee regarding the inclusion of items in the agenda should not enter the substance of the item concerned was also adopted.

Finally, in supporting the great majority of the suggested amendments the Canadian Delegation also urged the importance of keeping the Rules of Procedure under constant review. This principle was recognized in the resolution adopted by the Assembly, which instructed the Secretary-General to continue studying this question and to submit "suitable proposals" to the General Assembly.

IV.

ECONOMIC AND SOCIAL QUESTIONS

Progress of the Economic and Social Council

The United Nations Charter vests in the Economic and Social Council, under the authority of the General Assembly, the responsibility for the attainment and maintenance of international economic and social co-operation. In order to achieve its aims, the Council is charged with the function of coordinating the activities of the specialized agencies and with the power to initiate studies and make recommendations with respect to international economic and social matters and for the purpose of promoting respect for and observance of human rights and fundamental freedoms for all.

When the Council first came into existence in early 1946 it was faced with the immediate necessity of resuming economic and social activities formerly undertaken by the League of Nations and of resolving the urgent problems of reconstruction and rehabilitation of the war-devastated areas of Europe. It was inevitable that the Council, presented with these pressing responsibilities at the very outset, was obliged to devote its time to short-term emergency programmes, to working out its organizational structure, and to establishing its rules of procedure and its coordinating machinery. During the first three years of operation, the Council concentrated most of its energies on these tasks, and it was not until 1949 that it was able to turn its attention to the long-range substantive problems for which it had been given responsibility.

To a very large extent, the Council is and will remain a coordinating agency.* It is specifically charged with this function under the Charter, and its effectiveness in carrying out its wide responsibilities depends substantially on its ability to discharge this function successfully. It is natural, therefore, that although in 1949 there was a marked shift of emphasis away from the organizational and procedural, more attention than before was directed by the Council to reviewing the work of the functional commissions and sub-commissions, the regional economic commissions, and the specialized agencies. The Council has continued to exercise its supervision over these many bodies in a restrained and practical manner, making helpful and constructive suggestions for improvement where these were considered necessary. There was, nevertheless, a definite trend towards the recognition of its responsibilities in the general economic and social field, and it may be expected that a greater proportion of time will be devoted in future sessions of the Council to problems of this kind requiring international attention and action.

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*See also "The Role of the Specialized Agencies in the United Nations System", pp. 124-128.

There were some who thought that the discussions and the work of the Economic and Social Council could be entirely divorced from the political East-West cleavage which more often than not divides the General Assembly and the Security Council on issues of importance. However, it is obviously impossible to separate entirely the political from the economic and social. It is an indisputable fact that most economic and social questions have political implications, sometimes important ones, which must be taken into account. On the whole there seems to have developed among Council members a tendency to recognize the differences between Communist and non-Communist states as a political fact and on that basis to discuss, debate and try to forge workable compromises on the issues before them. It is to be hoped that this disposition to appreciate political considerations without allowing them to obstruct all efforts towards economic and social objectives will grow stronger, and that the trend towards moderation, of which there was evidence in some of the general debates in 1949, will continue. It would be rash, however, to look for too much in the way of compromises in the immediate future and it may be expected that political considerations will continue in 1950 to weigh heavily in Council debates on such issues as Full Employment and Unemployment, Forced Labour, Freedom of Information, and Trade Union Rights.

The outstanding achievement of the Economic and Social Council during 1949 was the drafting of a comprehensive plan for an expanded programme of technical assistance for underdeveloped areas of the world, which is accordingly discussed in a separate section of this chapter.*

The Council in 1949 again devoted considerable time to a lively debate on the world economic situation which was, on the whole, of a high level. This debate was noteworthy in that it gave to all members of the Council an opportunity to discuss in some detail what their governments considered to be important trends in the international economy. It also gave each particular government an opportunity to indicate what measures it thought should be taken both by other governments and by the United Nations in order to improve the world economic situation. The debate in 1949 followed substantially the pattern set by the Council in its discussion of the same subject in 1948 and to a large extent was a repetition in form if not in substance. It appears from these two debates on the world economic situation that the Council is now reaching a point at which it can discuss long-range issues without feeling impelled to pass specific resolutions. The debate on the world economic situation was regarded as a valuable preliminary contribution to the discharge of the Council's responsibility under Article 55 of the Charter to promote the solution of international economic problems. The study and analysis of the major dislocations of needs and supplies in the world economy will become an annual part of the Council's work in the future and should contribute, to an increasing extent, to its prestige and usefulness.

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*See pp. 89-93.

One of the unique features of the Economic and Social Council is that it provides an opportunity for non-governmental organizations associated with the United Nations to express their views. This is the only means provided by the United Nations whereby international organizations without government connections can express the opinions of large segments of the world's population on specific issues. In 1949 several of these organizations again took advantage of the opportunity. Experience has shown that the points of view of governments and of non-governmental organizations are not always the same. The Council has endeavoured to take all viewpoints into consideration in its efforts to reach satisfactory compromises.

The Council in 1949 did not neglect its important responsibility in social matters, even though the main emphasis was of necessity placed on economic problems. The Council itself and its main commissions have continued to concern themselves with such subjects as human rights, the status of women, displaced persons, refugees and stateless persons, and, where appropriate, recommendations have been made and decisions taken.

It is fair to say that the Council showed encouraging progress in 1949. It emerged from a labyrinth of organizational and procedural details to take its place as a firmly established organ of the United Nations; it devoted greater attention to the field of broad economic and social problems; it performed its functions in as efficient a manner as could reasonably be expected in the present international atmosphere; it showed a healthy realization of its limitations and tackled its work with vigour and courage.

Technical Assistance for Economic Development

Among the most far-reaching international consequences of the Second World War is the impetus which has been given to the economic and political growth of the underdeveloped countries of the world. It is not surprising that in the United Nations these countries have found a forum in which they can press their claims for a greater degree of political independence, and in which they can state their needs for economic development.

The United Nations, in turn, has recognized the legitimacy of these claims. In December 1948, the General Assembly considered the question of technical assistance for underdeveloped countries and passed a resolution authorizing the Secretary-General to include an item in the United Nations budget for a programme of economic development. This programme was designed to assist underdeveloped countries in various technical ways: by the arrangement of facilities for the training abroad of experts from these countries through the granting of fellowships; by the visits of outside experts in different fields of economic development; by assisting governments to obtain technical personnel, equipment and supplies; by the organization of seminars on special problems of economic development; and by the dissemination of technical information.

During 1949 a good start was made in implementing this modest programme with the result that at its Ninth Session the Economic and Social Council recognized the need for placing technical assistance activities on a more or less continuing basis by making annual provision for them within the regular budget of the United Nations. It was also agreed that the programme should be extended in 1950 and the budget item proposed by the Secretary-General and approved, first by ECOSOC and later by the General Assembly, was increased from $288,000 for 1949 to $676,000 for 1950.

Meanwhile, President Truman, in his inaugural address to Congress in January 1949, had announced his "Point Four" programme whereby United States policy would be to provide technical assistance on a large scale to the underdeveloped countries of the world. Stimulated by this declaration, the Economic and Social Council, at its Eighth Session in February 1949, took the first steps necessary to associate the United Nations with the "Point Four" programme. In accordance with the request of the Council, the Secretary-General, in consultation with the Heads of the specialized agencies, produced a report setting forth the means by which the United Nations could implement a major programme of technical assistance. This report was referred to governments and was then considered by ECOSOC during its Ninth Session in the summer of 1949. Finally, the General Assembly, having based its discussions on the report and recommendations of ECOSOC, unanimously approved on November 16, 1949, a general plan whereby the United Nations and its specialized agencies will soon begin to provide technical assistance in practical forms.*

The purpose of the Expanded Technical Assistance Programme is to improve general economic and social conditions in underdeveloped countries with a view to raising not merely the average but the minimum standard of living. The underdeveloped countries may be defined as those in which the economy is generally agricultural and largely inefficient, and in which the standard of living for the majority of the population is low. Among these countries is included a large part of Asia, Africa, and South and Central America. This expanded programme is to be regarded as a means to an end and not as an end in itself. Emphasis is to be placed on self-help in the hope that a greater degree of economic stability will be accompanied in these countries by corresponding political and social progress.

The technical assistance envisaged by the new, expanded programme may take several forms. It is intended that training courses in some of the more advanced countries will be provided for personnel in less developed countries in agricultural and industrial techniques and in such basic administrative fields as public finance and statistics. Further, missions will be sent to selected countries, following which recommendations will be made to receiving governments setting forth the types of economic development which could usefully be undertaken in particular regions. Where appropriate suitable pilot projects will be established as a means of instructing receiving countries in the most appropriate methods of developing their economies. By these means it is hoped that countries with backward economies will receive the necessary stimulus to enable and encourage them to raise their general standard of living.

The plan which was approved by the Assembly sets up detailed administrative machinery to supervise, control and implement the Expanded

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*For the text of the resolution see Appendix 25, pp. 274-275.

Technical Assistance Programme. Applications for technical assistance will originate with governments of countries desiring to participate. The applications will be directed to any of the participating specialized agencies or to the Secretary-General of the United Nations. Applications which require the assistance of more than one agency or which are considered to be of major importance will be carefully reviewed by a Technical Assistance Board, composed of the Secretary-General of the United Nations and the Directors-General of all participating specialized agencies or their representatives.

This programme for technical assistance requires close cooperation among the specialized agencies and the Secretariat of the United Nations. The agencies more particularly concerned will be FAO, WHO, ILO, ICAO and UNESCO. Much work has already been done in an effort to coordinate these activities in order that each project may be examined and dealt with as efficiently as possible with all aspects of the problem being considered at the same time.

In addition, a Technical Assistance Committee, consisting of representatives of each of the eighteen countries which are members of the Economic and Social Council, will make critical examinations of activities undertaken and results achieved in the field of technical assistance. This body will also examine each year's programme in advance, and make the necessary recommendations on general policy. The Committee will have a supervisory relationship to the Board and will keep under constant review all action being taken under the Technical Assistance Programme. As Canada has been elected to ECOSOC for a term of three years beginning on January 1, 1950, it will, therefore, be represented on this Committee.

The General Assembly agreed to establish a Technical Assistance Fund to which all countries have been invited to contribute on a voluntary basis. These contributions will be used to finance technical assistance projects in the underdeveloped countries. Thus, salaries of experts, the costs of training personnel in technologically advanced countries, and other expenditures required to be made in foreign currency will be met from this Fund. On the other hand, wherever possible governments requesting technical assistance are expected to meet all expenditures which have to be made in domestic currency. For this reason the total amount required for the Technical Assistance Fund should be relatively small in comparison with the total amount spent in the implementation of the programme.

The Secretary-General of the United Nations has been authorized to call a Technical Assistance Conference of all United Nations member states together with all states which are members of specialized agencies or regional economic commissions. This Conference will probably be held early in 1950 and will have as its main task the consideration of financial questions with respect to the programme. It will be necessary to determine how contributions can be used when, because of balance of payments difficulties, they cannot be made in convertible funds. Consideration will also be given to the manner in which monies from the Technical Assistance Fund will be allocated to the participating agencies. It has been suggested that certain basic amounts be allocated to the agencies at once and that the remainder of the fund be held in reserve for allocation to those agencies which find that the applications directed to them require larger expenditures.

During the debate in the Economic Committee the Canadian Representative emphasized that, in considering the extent to which they might contribute to the programme, national legislative bodies would undoubtedly be influenced by whether or not they considered the programme for the first year to be reasonable and well adapted to produce concrete results. It was also emphasized that there was a direct relationship between economic development and the achievement and maintenance of a high level in the volume of world trade. The industrial and general economic development of countries at present underdeveloped should increase the total demand for goods and services, contribute to economic balance, and raise levels of real income.

Many delegates in the Assembly stressed the desirability of ensuring that development in industry was sufficiently rapid to absorb large numbers of the population who would be released as a result of improved agricultural techniques. Furthermore, most underdeveloped countries seemed to think that the development of manufacturing and similar large-scale industry would contribute greatly to the feeling of self-respect of their populations.

Although the General Assembly gave unanimous approval to the Technical Assistance Programme there was characteristic evidence in the debates of the fundamental differences between East and West. Thus, at the final plenary meeting of the Assembly, the Soviet Representative claimed that the United States was supporting the programme for the same reasons that it was launching a large technical assistance programme of its own, and forecast that a struggle would take place when the United Nations came to implement this plan.

The technical assistance provided by the United Nations and its agencies will for the most part not go beyond recommending the form that economic development should take, and providing the necessary facilities for training personnel. The recipient country will then have to make its own arrangements for obtaining the capital required to carry out the recommendations. The provision of technical assistance for the economic development of underdeveloped countries should provide a suitable climate for foreign investment. The question of providing for the financing of projects undertaken as a result of the Technical Assistance Programme is being considered by a small committee of experts who are to submit their recommendations to the next meeting of the Economic and Social Council in February 1950.

At present there are four sources from which investment capital may be derived. In the first place, there is domestic capital, which in most underdeveloped countries is not very great. It seems likely that for some time to come domestic capital in these countries will be insufficient for large-scale and rapid economic development. Secondly, there is the International Bank for Reconstruction and Development. Its funds are somewhat limited, and its main source of investment capital is from private investors, particularly in the United States. The Bank has reported that the main reason for its inability so far to make large sums of money available for economic development in underdeveloped countries has been the lack of suitable well-planned projects. The Technical Assistance Programme is designed to overcome this difficulty. Thirdly, there are international governmental loans, although it is impossible to say how far these may be available for the assistance of underdeveloped countries. Finally, there is private international investment. Studies have been initiated in the United Nations to investigate the measures which might be taken, by both countries exporting capital and by those requiring it, to increase the flow of private international investment.

The economic development of other countries is of particular interest to Canada. As a country standing high among the world's trading nations Canada is concerned in the general level of international economic prosperity and, more specifically, has of necessity an interest in maintaining and increasing a high level of exports and imports. Thus, in addition to its general concern for the economic and social welfare of other peoples, Canada looks forward to the implementation of this programme of economic assistance which gives promise, in the long run, of the development of important new markets and the opening up of new sources of raw materials, food and manufactured articles.

Full Employment

Article 55(a) of the United Nations Charter provides that the United Nations shall promote "higher standards of living, full employment and conditions of economic and social progress and development"; under Article 56, member states have pledged themselves to take joint and separate action towards the achievement of these purposes. Acting on the basis of the principles set forth in these Articles of the Charter, the United Nations has established machinery of its own to supplement the measures taken by national legislative bodies in the field of employment.

The Charter entrusted the Economic and Social Council with the main responsibility for coordinating United Nations activity in this field. Accordingly, the Council created a special functional body, the Economic and Employment Commission, to advise it on "the prevention of wide fluctuations in economic activity and the promotion of full employment by the coordination of national full employment policies and by international action". This Commission, which is a specialized body of government representatives, has established its own subsidiary agency known as the Sub-Commission on Employment and Economic Stability, an expert body of seven members serving in their personal capacity. In addition to supervising the activities of its own subsidiary bodies, the Economic and Social Council is also responsible for coordinating the work of the specialized agencies in regard to the question of employment. Those agencies whose terms of reference are related to the problem are the International Monetary Fund, the International Bank for Reconstruction and Development, the Food and Agriculture Organization, and the International Labour Organization. Furthermore, the principle of full employment has been recognized in the Havana Charter for an International Trade Organization and in the General Agreement on Tariffs and Trade, both of which embody provisions relating to specific objectives in the fields of employment, economic development, and reconstruction.

The United Nations has thus established continuing machinery for the purpose of fulfilling its obligations in the matter of full employment and higher living standards. From time to time, however, the major organs of the United Nations take stock of the results which have been achieved and consider the measures which might be taken to stimulate progress in this field. In August 1949 at its Ninth Session, ECOSOC devoted a substantial proportion of its meetings to the subject. Note was taken of recent trends in employment statistics, and consideration given to the international action which it would be appropriate for the Council to recommend to member states. After examining the report of its Economic and Employment Commission and a number of other reports relating to the problem, the Council passed a resolution which noted with satisfaction "that many of the interested Governments have declared themselves ready to put into effect, if conditions should warrant, such measures for increasing purchasing power and for promoting full employment as are appropriate to their national economies, including, for example, the extension of unemployment insurance, the expansion of social services generally, public works programmes including low cost housing and natural resources development projects, measures affecting the level and methods of taxation, and incentives for the encouragement of private capital investment". In the same resolution, member governments were asked to avoid as far as possible such measures as might result in the restriction of international trade. In an effort to carry forward its work in this field, the Council asked the Secretary-General to appoint a five-man group of economic experts to prepare a report on national and international measures required to achieve full employment. The report would be submitted to the Economic and Employment Commission in January 1950, after which the Commission would send its comments and recommendations to the Tenth Session of ECOSOC in February. Finally, the Council, at the end of its debate on this item, recommended that the General Assembly debate the subject of full employment at its Fourth Session.

The debate on this item in the General Assembly developed into a vigorous airing of views on the general world economic situation. Almost all non-Communist member states referred to the need for both national and international action to assist in promoting full employment and higher standards of living. There was equally general agreement on the interdependence of full employment and international trade and investment. A number of Western delegations pointed out that in any country with a dynamic economy and a freely mobile labour force a certain amount of transitional unemployment was unavoidable, while at the same time representatives of the underdeveloped countries, many of them potential applicants for aid under the United Nations Technical Assistance Programme, stressed the problems which they had to face in making efficient use of their labour force and particularly of those workers engaged in agricultural production.

It was the note of urgency supplied by spokesmen for underdeveloped countries which, perhaps more than any other, was characteristic of the sense of the debate. Representatives of the underdeveloped countries were at pains to point out that unemployment was not a question exclusively of concern to the more advanced nations. In their view, it was the backward countries which stood to suffer most from an increase of unemployment in advanced countries, since a decrease of purchasing power in the latter would lead to a tendency to reduce imports offered by underdeveloped countries and to consequent multiplication of unemployment in backward regions. These representatives referred also to the relationship between their own standards of living, and their level of imports. If their living standards worsened, they would be correspondingly less able to afford imports, a circumstance which might be expected to affect the level of employment in the industrially more advanced countries.

It was apparent that the delegations of the Soviet bloc regarded the debate on this subject as an excellent propaganda opportunity. They took full advantage of the occasion, as they had done during the summer session of the Economic and Social Council, to paint a gloomy picture of increasing unemployment and impending crisis in the non-Communist countries, and to contrast this discouraging state of affairs with the happy position of their own countries where unemployment did not exist. The Czechoslovak Delegation put forward a resolution almost identical in substance with the resolution proposed at the Ninth Session of the Economic and Social Council by the WFTU, and roundly defeated at that time, recommending specific measures which should be taken by member states "suffering from unemployment".

The propaganda character of this resolution and the implication that the recommended measures need not be taken by Sovietized states, since they are not "suffering from unemployment", were underlined by the Canadian Representative who, speaking in the Committee debate, described the Czech proposal as "just one more propaganda drive against our system of free enterprise". Apart from the obvious propaganda nature of the Czechoslovak resolution the Canadian Delegation, like many others, considered it basically unacceptable, since it set forth specific recommendations of a sort which could much better be considered in detail by the Committee of Experts appointed by the Secretary-General. Speaking on this point, the Canadian Representative drew attention to the respective roles of national and international authorities in the field of employment legislation.* Although, in the Canadian view, international measures must be considered and adopted, the primary responsibility for action in these matters lay with national legislative bodies and the subject could not be disposed of by shifting to international bodies the domestic responsibilities which properly rested on individual governments. The rigid measures which had been suggested by the Czechoslovak Delegation lacked the flexibility which only democratic national legislative bodies could give. It was the Canadian view that "the Ad Hoc group of experts, the Economic and Employment Commission and its Sub-Commission, and the ILO are the appropriate bodies to prepare detailed recommendations concerning full employment, unemployment and action to be taken for maintaining and improving the standard of living. Recommendations from those bodies to ECOSOC and thence to the General Assembly permit the orderly and careful consideration of all aspects of the question". The remainder of the Canadian statement was directed at the motives which had inspired the Czechoslovak Delegation to submit a proposal on this subject. While the Communist countries had themselves failed to comply fully with United Nations requests for statistics on economic matters, they had nevertheless seen fit to offer remedies for unemployment in non-Communist countries.

Although the debate had taken the form of a general survey of the views of member states on the world economic situation, it had nevertheless centred upon draft resolutions submitted by Czechoslovakia and Australia. The former, which has been described above, was defeated in the full Assembly by a vote of 27 to 5 with 12 abstentions. The Australian resolution, after extensive revisions mainly designed to accommodate the views of the underprivileged countries, was, however, adopted by the General Assembly on November 25 by a vote of 41 (including Canada) to 5 with 2 abstentions.

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*For excerpts from the Canadian statement, see Appendix 26, pp. 275-278.

By approving this resolution the General Assembly has declared its belief that national and international action by members, designed to promote and maintain full employment in accordance with Articles 55 and 56 of the Charter, is a basic requirement for the achievement of a stable and expanding world economy. It has drawn attention in particular to the need for action to stimulate the economic development of underdeveloped countries as a means of overcoming unemployment and under-employment in these regions and consequentially in the industrially more advanced countries. The attention of the Economic and Social Council is drawn to unemployment and under-employment, especially in underdeveloped countries and particularly in such fields as agriculture. Finally, the world economic situation is to be reviewed again at the Fifth Session of the General Assembly.

The United Nations International Children's Emergency Fund

The International Children's Emergency Fund was established by Assembly resolution in December 1946, to meet emergency needs of children, with special priority for countries victims of aggression. The Fund is administered by an executive board of representatives of twenty-six countries including Canada.* The Canadian member of the Executive Board has served as chairman of the Programme Committee in 1948 and 1949 and will continue in that capacity in 1950.

The Fund's assets to December 1, 1949, were over $141,000,000—$99,000,000 from donations from thirty-six governments, $31,000,000 from residual assets of UNRRA, and $11,000,000 from voluntary contributions. Canada is the third largest contributor to the Fund. The Government contributed $5,200,000 in 1947 and $1,075,000 in 1949. In addition, a voluntary campaign, the United Nations Appeal for Children, raised over $1,100,000 in 1948, and returns are incomplete for a similar 1949 campaign. All contributions are spent in Canada, largely for powdered milk. At December 1, 1949, UNICEF had shipped over 350,000 tons of supplies.

The Fund has maintained its policy that a government requesting aid must itself have established, or be prepared to establish, a programme for the benefit of children. To this, the Fund contributes essential supplies which cannot be secured locally. This means that children benefit, not only by the amount contributed by the United Nations, but by additional amounts, often larger, provided by their own government.

The Fund in 1949 has provided four types of assistance, the most important of which has been the feeding programmes. The Fund's contribution consists mainly of milk, fats, cod liver oil, with some meat and fish to provide the protective foods for one supplementary meal a day for over 6,000,000 children. Besides large-scale feeding programmes, a number of demonstration school feeding projects are being undertaken in various countries. With a view to increasing and improving local milk supplies, certain European countries are being provided with equipment for milkdrying and pasteurization. Assistance has been given by FAO in establishing basic nutrition standards and in developing demonstration feeding projects and milk conservation programmes.

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*For the membership of the Executive Board, see appendix 39, p. 309.

Cotton, wool and hides have also been provided for processing into children's clothing, bedding, and shoes. Considerable quantities of blankets have also been supplied for Palestine refugees and victims of the earthquake in Ecuador.

In cooperation with WHO, a number of medical programmes have been assisted. The largest, which is reaching millions of children, is an anti-tuberculosis campaign through the use of BCG vaccination. Assistance has also been given in campaigns to eliminate venereal disease, malaria, and certain other diseases to which children are particularly susceptible.

UNICEF during 1949 provided various training courses and individual fellowships for professional personnel in the fields of child health and welfare.

An offer of the French Government to establish a Children's Centre in Paris for the purpose of training and research was accepted by UNICEF and $1,000,000 was allocated towards a three-year programme for the Centre.

With the improvement of conditions in Europe, UNICEF has made allocations to an increasing number of areas outside of Europe. A sum of $7,172,000 was allocated to assist the U.N. 1949 programme for Palestine refugees. A number of Far Eastern and Latin American countries are also benefitting from UNICEF assistance. Emphasis in these areas is in the medical field, with feeding programmes being confined to certain special groups or to demonstration projects.

The Fund's present resources will make it possible to continue the European and Middle East feeding programmes for the first few months of 1950. Programmes in the Far East and Latin America for which funds have already been allocated will probably not be completed until the end of 1950 or sometime in 1951.

The Executive Board has become increasingly aware of long-term needs in the fields of child nutrition, health, and welfare which exist in many parts of the world, in addition to the specific emergencies which the Fund was created to meet. Because of the uncertainty of UNICEF's future resources, the Executive Board thought it appropriate to suggest that, in cooperation with the Social Commission, the Department of Social Affairs of the United Nations, and certain specialized agencies, a study should be made on the continuing needs of children. The object of the study is to focus the attention of various U.N. bodies on this field and to provide data on which to base future policy.

Advisory Social Welfare Services

On December 14, 1946, the General Assembly authorized the Secretary-General to make provision for the continuance of the urgent and important advisory functions in the field of social welfare which had been carried on by UNRRA. In particular these services included:

(a) the provision of social welfare experts to give advice and to put into practice over an appropriate period new technical methods in any branch of social welfare. These experts would be sent to governments who could show their need for them;

(b) fellowships to be provided to a requisite number of suitably qualified social welfare officials so as to enable them to observe and familiarize themselves with the experience of other countries administering social welfare programmes;

(c) provision for advice, demonstration and instruction to be given in connection with the manufacture of prosthetic appliances and the vocational training of physically handicapped persons; this would include the furnishing of the necessary demonstration equipment and tools;

(d) the provision of technical publications helpful in the training of social welfare workers to member countries devastated during the War.

Since that time the Secretary-General has received renewed authorization from the Economic and Social Council and the General Assembly to continue these services on a year to year basis. At its Ninth Session the Economic and Social Council asked the General Assembly to authorize the Secretary-General to place these important services on a continuing basis and therefore to include automatically an amount for these services in future budgets of the United Nations.

The Secretary-General, in a report which he submitted to the Assembly, pointed to certain difficulties which had arisen in the past in the operation of this programme owing to the fact that neither the participating countries nor the Secretariat were able to tell in advance whether the programme would be continued for the following year. The report pointed out that services of this nature must of necessity be planned on a long-term basis, as each country requesting this type of assistance was itself enlarging upon or initiating national programmes of social welfare. These programmes were intended to be permanent, but commitments could not very well be made for the future unless the particular countries concerned were assured in advance of continued United Nations assistance. At its Fourth Session the Assembly decided to comply with the request of the Economic and Social Council by placing these welfare services on a continuing basis, and as a result the United Nations will spend nearly $800,000 during 1950 on this useful work.

During the debate in the Third Committee of the Assembly, however, certain delegations raised the question as to whether or not the nature of these services should now be altered to some extent. They pointed out that in 1946 the Assembly, in taking over these functions from UNRRA, had in mind the alleviation of immediate post-war conditions by means of this programme. Now, three years later, they thought that it might be advisable to review the basic terms of reference with a view to making this programme more generally applicable to the world as a whole. The Delegations of Belgium and Lebanon accordingly submitted a draft proposal which was accepted by the Assembly and incorporated in its final resolution. By this resolution, the Economic and Social Council was requested to review the terms of the December 1946 resolution in the light of the discussions and suggestions made in the Third Committee of the General Assembly. The Economic and Social Council as a result of this review is requested to recommend to the Fifth Session of the Assembly any modifications which it considers necessary to the basic terms of reference of the advisory social welfare programme.

Most delegations in the Assembly gave their wholehearted support to these services, and those participating countries who have benefited directly from this programme emphasized their gratitude for and dependence on this form of United Nations assistance. The Canadian Representative made a comprehensive statement on this subject. He welcomed the increasing tendency towards self-help and mutual cooperation on the part of the participating countries and pointed out that the ultimate goal was the improvement of these services to such an extent that the beneficiaries would no longer require outside assistance. The Canadian statement also suggested that some at least of the social welfare functions might later be incorporated in the Technical Assistance Programme for underdeveloped countries approved by the General Assembly in November 1949.

At the end of the debate, the General Assembly duly adopted by unanimous vote the establishment of the Advisory Social Welfare Services on a continuing basis. This unanimity indicated how highly these services were regarded by all member states and was at the same time a measure of the General Assembly's capacity to keep political considerations out of a discussion which was essentially social in nature.

Convention for the Suppression of the Traffic in Persons

The Fourth Session of the General Assembly approved a Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, and proposed that each member of the United Nations, and each non-member state invited by the United Nations to do so, become a Party thereto. The Convention will come into force ninety days following the deposit of the second instrument of ratification or accession.

As far back as 1937 work had been begun, under League of Nations auspices, on a single draft Convention designed to consolidate four earlier Conventions:—

(a) International Agreement for the Suppression of the White Slave Traffic (Paris, May 18, 1904);

(b) International Convention for the Suppression of the White Slave Traffic (Paris, May 4, 1910);

(c) International Convention for the Suppression of the Traffic in Women and Children (Geneva, September 30, 1921);

(d) International Convention for the Suppression of the Traffic in Women of Full Age (Geneva, October 11, 1933).

This project was never completed under the League of Nations, but was revived in March 1947, when the Economic and Social Council asked the United Nations Secretariat to prepare a new consolidated draft Convention for consideration by the Social Commission. The draft was to take into account the four earlier Conventions mentioned above, as well as the changes in international conditions affecting the subject matter and the views expressed by members of the United Nations. The Secretariat presented its draft Convention to the fourth session of the Social Commission in the spring of 1949, and after considering it, the Commission transmitted it to the Ninth Session of ECOSOC whence, after examination, it was forwarded to the General Assembly. On September 30, 1949, the Third Committee of the Assembly began an article by article examination of the draft, referring a number of legal questions to the Sixth Committee, particularly those likely to affect the domestic laws of member states.

The purposes of the new Convention are to consolidate, improve and bring up to date the terms of the earlier Conventions. In two general sections (Articles 1 and 2) it provides for punishment of "any person who, to gratify the passions of another:

(1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;

(2) Exploits the prostitution of another person, even with the consent of that person;"

and of "any person who:

(1) Keeps or manages, or knowingly finances or takes part in the financing of a brothel;

(2) Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others."

In Articles 3 and 4, attempts, preparatory acts and intentional participation, to the extent permitted by domestic law, are also punishable. The 1937 draft Convention provided that the first offence noted above must involve the element of pecuniary or other gain to the offender, but this has been omitted from the present Convention.

Article 6 presents a critical problem for the effective implementation of the Convention. It provides that each Party should agree to take steps to repeal or abolish legislative or administrative regulations by virtue of which persons who engage in or are suspected of engaging in prostitution are subject to special registration, or to the possession of a special document, or to any exceptional requirements for supervision or notification. This article hits at so-called "licensed prostitution". The Canadian Delegation to the Fourth Session of the Assembly was representative of the group of member states which deplored any method of control of prostitution which might be construed, however mistakenly, as implying official sanction. The French and Turkish Delegations, on the other hand, held that any direct control of certain classes of persons suspected of prostitution was better than none, and doubted that their Governments could adhere to a Convention which forbade such control. In fact the new Convention rests on the need, not for control, but for a more general sociological treatment of the victims of prostitution. The characteristic note of the document is that the victims of prostitution are looked upon as socially unfortunate misfits to be helped by positive action rather than stigmatized by neglect; and that traffickers, on the other hand, are criminals of the worst type and their activities to be heavily and comprehensively penalized.

Among the steps to aid the former are:

(a) Provision of maintenance and repatriation to country of origin of alien prostitutes (Article 19);

(b) Encouragement of rehabilitation and social adjustment of victims (Article 16); and

(c) Control of transport, immigration and employment facilities to prevent their abuse for purposes of prostitution (Articles 17 and 20).

The preparation and adoption of this Convention is further evidence of the valuable though unspectacular progress which the United Nations has been able to make in promoting international social cooperation. Canada was among the states which supported the adoption of the Convention in committee and in plenary, although because the subject matter concerned both provincial and federal authorities, the Canadian Delegation did not take a leading part in the discussions.

Freedom of Information

Freedom of information, which implies the unrestricted interchange of information and opinions both in the national and international spheres, has long been recognized by the United Nations as one of the fundamental human rights which the Organization has agreed to promote under Article 55 of the Charter. At the second part of its First Session in December 1946, the General Assembly requested the Economic and Social Council to call an international conference on Freedom of Information. This conference met in Geneva in March 1948, and formulated draft conventions on the Gathering and International Transmission of News; the Institution of the International Right of Correction; and on the broad principles of Freedom of Information. It also adopted forty-three resolutions dealing with various special aspects of this subject. The work of this conference has since led to considerable discussion and some agreement both in the Economic and Social Council and in the General Assembly.

Although an item on Freedom of Information was included in the agenda of the Third Session of the Assembly in September 1948, the subject was not considered in detail until the second part of that session in April 1949. At that time the conventions on the Gathering and International Transmission of News, and on the Institution of an International

Right of Correction were amalgamated into a single draft Convention on the International Transmission of News and the Right of Correction. Although the third draft convention mentioned above (Freedom of Information) was also discussed in some detail, it became apparent that there were opposing points of view on the principles of freedom of information which could not be easily reconciled. Accordingly, this Convention was referred for further study to the Fourth Session of the Assembly. At the same time it was agreed that the amalgamated draft Convention should not be opened for ratification until after the Fourth Session had taken definite action on the draft Convention on Freedom of Information. The latter was considered as part of the agenda of the Fourth Session in September 1949, together with an additional item concerning measures which could be taken by member states to guarantee access for news personnel to meetings of the United Nations and its specialized agencies.

The work of the March 1948 conference on Freedom of Information also led to the adoption by the Economic and Social Council at its Eighth Session in March 1949, of new terms of reference for the Sub-Commission on Freedom of Information and of the Press, a subordinate body of the Commission on Human Rights. Having been reconstituted and having had its life extended until December 31, 1952, the Sub-Commission met in June 1949, and decided upon priorities for a three-year programme of work.

A more detailed summary of the action taken by the United Nations during 1949 on each of the main aspects of freedom of information is given below.

The Convention on the International Transmission of News and the Right of Correction.

In the language of its preamble, the purpose of this Convention is to implement the right of peoples to be fully and reliably informed, and to improve understanding between peoples through the free flow of information and opinion. In general, the Convention is largely of a technical nature. It confines itself to specific questions connected with the transmission of news and the right of correction, but lays down safeguards designed to guarantee certain basic freedoms to news correspondents and agencies. With this end in view, contracting states would, for instance, undertake not to impose restrictions which discriminate against correspondents with respect to entry into, residence in, travel through, or departure from their territories. Correspondents, moreover, would not be expelled from such territories on account of any lawful exercise of their right to collect and report news material. Contracting states would also undertake to promote and facilitate access to news for all correspondents of other contracting states "to the extent compatible with national security". An important related provision states that contracting countries should permit egress from their territories of all news material originating from correspondents or agencies of other contracting states without censorship, editing, or delay, "provided that each contracting state may make and enforce regulations relating directly to national defence".

The second part of this joint Convention is designed to remove the danger to the maintenance of friendly relations among peoples arising from the publication of inaccurate reports. Under its terms, contracting states would be guaranteed the right to issue corrections of news despatches which in their opinion are false or distorted and which are capable of injuring their relations with other states, or their national prestige or dignity. In such cases, the injured state would have the right to submit its version of the facts to the states in which the despatch in question was published or disseminated. These latter states would be obliged within five days to release the communiqué to the press and information agencies, including the information agency whose correspondent was responsible for originating the despatch in question. It is, of course, left to the Press to decide whether or not to publish the communiqué. Should governments fail to live up to their obligations under this clause, the injured state would be entitled to send its communiqué to the Secretary-General of the United Nations, who in turn would be obliged to publicize it promptly through United Nations channels.

Because the Communist states have voted against it, this Convention cannot, unfortunately, be expected to bring about any modification in their rigid censorship policies. Its provisions do, however, represent a compromise between the views of two broad categories of non-Communist member states: namely, those including Canada, which favour keeping the press free from all forms of state intervention, and those which prefer to maintain a measure of government control in this field. The Canadian Delegation supported the Convention in the belief that, despite the attitude of the Communist states, it represented in any case an important first step towards complete freedom of information in the non-Communist world.

The Convention on Freedom of Information

This Convention, which deals with general principles, as distinct from technical details, was the third of those formulated by the International Conference on Freedom of Information held in Geneva in March 1948. In accordance with the agreement reached at the 1949 spring meeting of the Assembly, the Fourth Session gave high priority to this item, which was placed first on the agenda of the Third Committee. The Assembly, however, decided against discussing the substance of the Convention. Instead, it considered two draft resolutions submitted jointly by the Netherlands, the United Kingdom and the United States Delegations.

The first of these provided that the Commission on Human Rights include adequate provisions on freedom of information in the draft International Covenant on Human Rights, taking into account the work already done on the draft Convention on Freedom of Information at the Geneva Conference and at the Third and Fourth Sessions of the Assembly. In addition, the first draft resolution called for postponement of further action on this draft Convention until the Fifth Session of the Assembly, pending the receipt of the draft International Covenant on Human Rights. (The Commission on Human Rights at its 1949 session had already decided to refer its draft Covenant to the 1950 Assembly after revising it in the light of comments received from member governments). The second of the two joint draft resolutions proposed that the amalgamated Convention on the International Transmission of News and the Right of Correction should be opened for signature at once.

These two joint draft resolutions were considered by the Committee together with a French proposal calling attention to the complementary nature of the two Conventions and asking the Assembly to establish a

Working Party of eleven members for the purpose of studying the draft Convention on Freedom of Information and the amendments which were made to it at the Third Session of the Assembly.

Supporters of the first joint resolution pointed out in the debate that the discussions during the Third Session of the Assembly and private discussions since then had made it apparent that no useful purpose would be served by attempting at that time to reconcile the opposing points of view. In particular, Article 2 of the Convention was especially controversial, since it involved the principle of a measure of peacetime censorship. Proponents of the joint resolution argued that rather than attempt immediately to arrive at a compromise on detailed matters of principle which were likely to prove controversial, and thereby run the risk that this compromise would not in fact meet the points of view of any one party, it would be preferable to ask the Commission on Human Rights to include appropriate general provisions on freedom of information in its draft Covenant on Human Rights. Once these general principles, on which it was reasonable to anticipate a large measure of agreement, had been considered and approved at the Fifth Session, the Assembly could then decide whether it was necessary to have a separate Convention on Freedom of Information which would go into details based on the approved general principles.

The Canadian Delegation made a short statement late in the debate. The Canadian Representative drew attention to the difference between the first Convention (International Transmission of News and the Right of Correction), which was a technical one drafted to meet limited requirements, and the Convention under discussion, which embodied general principles. Canada wholeheartedly supported the joint resolution submitted by the Netherlands, the United Kingdom and the United States, on the understanding that the Fifth Session of the Assembly would review the situation in order to ensure that the principles of freedom of information had been properly embodied in the Covenant on Human Rights.

The French Delegation and those member states which aligned themselves with the French proposal, thought that this session of the Assembly would not have met its responsibilities if it decided to abandon the Convention on Freedom of Information without at least making an effort to resolve the conflicting points of view. When the vote took place, however, the joint resolution was approved as a whole by 29 (including Canada), to 13, with 8 abstentions, and it was therefore unnecessary to take a vote on the French proposal.

The second of the joint draft resolutions proposed by the Netherlands, the United Kingdom and the United States would have requested the Secretary-General to open for signature immediately the amalgamated Convention on the International Transmission of News and the Right of Correction. It will be recalled that the Third Session of the Assembly had decided not to take this step until the Fourth Session had taken definite action on the Convention on Freedom of Information. This draft resolution failed, however, to gain the necessary support, and was rejected by a vote of 16 in favour (including Canada), 18 against and 13 abstentions. Opposition to the proposal came mainly from delegations who considered that the technical Convention and the Convention embodying general principles constituted an organic whole, and should therefore be considered, approved and eventually signed together. As a result of this decision, the technical Convention will remain in abeyance at least until the Fifth Session of the Assembly.

Access of Accredited News Personnel to Meetings of the United Nations and its Specialized Agencies

Among the resolutions adopted at the Geneva Conference on Freedom of Information in March 1948 was one which was designed to assure free access for accredited news personnel to all countries where meetings of the United Nations and its specialized agencies take place, and to all public sources of information connected with such meetings. This resolution was examined and approved in substance by the Ninth Session of the Economic and Social Council. It was then submitted to the Fourth Session of the Assembly. Although a number of amendments both of a drafting and a substantive character were advanced during the debate in the Assembly, the draft resolution proposed by the Economic and Social Council was eventually approved without modification by a vote of 42 (including Canada) to none, with 7 abstentions.

Under the terms of this resolution, member states are urged to grant to accredited news personnel free access to countries where meetings of the United Nations or its specialized agencies take place. In addition, they are urged to make available, equally and without discrimination, to all such news personnel free access to all United Nations meetings and conferences which are open to the press, and to all public information sources and services of the United Nations. By approving this resolution the General Assembly has completed specific action on this aspect of freedom of information.

Commissions of the Economic and Social Council

General Introduction

There are at present twelve commissions of the Economic and Social Council: three "regional" economic commissions and nine "functional" commissions.* They have been established at various dates in accordance with Article 68 of the Chapter, which directed the Council to set up commissions in the economic and social fields and for the promotion of human rights, and such other commissions as might be required for the performance of its functions. In addition, several of the functional commissions have established one or more sub-commissions to deal with special aspects of their work. The advisability of setting up a fourth regional economic commission, for the Middle East, has been discussed from time to time, though no final decision on the matter had been taken by the end of 1949.

Membership of the commissions is for three years, a rotation having been established by the adoption of unequal initial terms. Members are elected by the Economic and Social Council. It is understood that the representatives nominated by the governments selected by the Council will be persons of special competence and experience in the fields of work proper to the commissions for which they are being put forward. Canada is not a member of any of the regional bodies, but is represented on the

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*For the full membership of the Commissions of the Economic and Social Council, see Appendix 39, pp. 308-309.

Economic and Employment, Social, and Narcotic Drugs Commissions. At the Ninth Session of the Economic and Social Council, held during July and August 1949, Canada was not re-elected to the Statistical and Population Commissions, but was elected for the first time to the Fiscal Commission. Each commission generally meets once a year for a session of about two weeks. This limit is sometimes exceeded, and the Economic and Social Council may also, upon request, authorize an additional session. In the time at their disposal, commissions naturally cannot themselves carry out the substantive research required by many projects but are accustomed to rely upon the services of the Secretariat and, in some cases, of the various specialized agencies.

The exact methods of the different functional commissions vary according to the nature of the problems they are dealing with. The Statistical, Population, and Fiscal Commissions, for example, devote much time to questions of general policy connected with the maintenance or initiation of certain technical services and publications, such as the collection of *International Tax Agreements;* the *Monthly Bulletin of Statistics*, a successor to the League publication of the same name; and the new *Year Book of Demographic Statistics.* The Narcotic Drugs Commission reviews the *Annual Reports* on the administration of narcotics control, submitted to the Secretary-General of the United Nations by the signatories of the various conventions on narcotic drugs, and records comments and suggestions which are brought to the attention of members.

In somewhat less technical fields, much of the work consists of the thorough examination and discussion of a given problem, where necessary with the aid of additional expert advice, and the formulation of recommendations directed in the first instance to the Economic and Social Council. Many recommendations or proposals require the approval of the General Assembly, and if accepted by the Council are forwarded to the Assembly for further consideration. Recommendations may take the form of simple resolutions, or, where such a procedure is appropriate, of draft international agreements. Several of the commissions have already completed the preliminary drafting of such agreements. The Narcotic Drugs Commission produced the original drafts, first, of a protocol amending the various conventions on narcotic drugs and transferring to the United Nations and the World Health Organization the functions formerly exercised by the League of Nations; and second, a protocol to bring under international control various new drugs, chiefly synthetic, not covered by previous international instruments. Both protocols were opened for signature in December, 1948, at the Third Session of the General Assembly. The Statistical Commission similarly was responsible for a protocol transferring to the United Nations functions formerly exercised by the League of Nations under the International Convention Relating to Economic Statistics, which was opened for signature at the same time. The Universal Declaration of Human Rights, adopted by the same session of the General Assembly, was originally prepared by the Human Rights Commission. It is, however, different from the agreements previously mentioned, since it is not an international treaty but a declaration of principle, having the same recommendatory force as any other resolution of the General Assembly. The Human Rights Commission at its Fifth Session in May 1949, completed a draft of a Covenant on Human Rights, which, when finally approved by the General Assembly, will have the force and effect of a multilateral Convention in respect of nations signatory to it. The Social Commission prepared the initial draft of a Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, which was a consolidation of four instruments already in force and a draft convention prepared by the League of Nations in 1937. The Commission's draft was studied in detail during the Fourth Session of the General Assembly by the Social and Legal Committees which recommended changes in several articles. Finally, at a plenary meeting held on December 2, 1949, the General Assembly approved the Convention as submitted to it by the Social Commission on November 30, and recommended that each member of the United Nations become a party to it.

Two other functional commissions, those dealing with the Status of Women and with Transport and Communications, have produced a number of resolutions on specific matters, some of the more important of which are mentioned in detail in the appropriate sections of the present chapter. They have also been responsible for the initiation of various studies which will form the basis of future action. The Economic and Employment Commission has, up to the present time, suffered from several handicaps which have prevented it from making as large a contribution to the work of the United Nations as might have been expected. In future, however, the reorganization described in some detail below should enable it to function a good deal more satisfactorily.

The demands made upon the regional economic commissions are somewhat different, since their chief task is to encourage and facilitate cooperation among member governments in dealing with regional economic problems. Up to the present time they have been mostly concerned with completing organizational arrangements, defining methods of coordination with the specialized agencies, and developing future studies and prospective programmes. One recommendation of the Economic Commission for Asia and the Far East has, however, already been acted upon by the Secretary-General who, in November 1948, established a Bureau of Flood Control for Asia and the Far East, as "an effective technical unit responsible to ECAFE for the performance of technical tasks envisaged by the Commission".

All in all it may be said that the achievements of the commissions as a whole during their first four years of existence have suggested that this type of body is capable of useful work within the framework of the United Nations. If the calibre of the membership remains high and if adequate technical services are made available, the commissions can be of major assistance to the Economic and Social Council. Properly used, they can make an important contribution to the formidable task of coordinating the economic and social work of the various United Nations organs and specialized agencies, since each commission may be expected to draw together from its own particular point of view work being done by perhaps half a dozen or more other bodies. In addition, the advice and comments emanating from the commissions should, in favourable circumstances, provide a useful link between the purely technical services rendered by the Secretariat and the more general discussion in the major organs of the United Nations, where technical projects which have not been tempered to some degree by practical and even political considerations may sometimes suffer serious distortion. From both these points of view it is to be hoped that the work done by the regional commissions, useful as it may be, will not be expanded to the detriment of the functional commissions and that they will all continue to serve impartially the broad economic and social objectives of the Charter.

Commission on Human Rights

The Commission on Human Rights, which was established in June 1946 by the Economic and Social Council, consists of representatives of eighteen members of the United Nations, not including Canada. Its terms of reference require the Commission to study problems relating to: an International Bill of Human Rights; International Declarations or Conventions on Civil Liberties, Freedom of Information, and similar matters; the protection of minorities; and the prevention of discrimination on grounds of race, sex, language or religion. The Commission has three specialized subsidiary bodies: a Sub-Commission on Freedom of Information and of the Press; a Sub-Commission on Prevention of Discrimination and Protection of Minorities; and a Drafting Committee on an International Bill of Human Rights.

During 1949 the Commission was engaged in further work on the proposed International Bill of Human Rights, a project which had been launched in 1947.* The first part of the Bill, the Universal Declaration of Human Rights, had been completed in 1948 and approved in that year by the Third Session of the General Assembly. It was in redrafting the second part of the Bill, the draft International Covenant, that the Commission made the most progress in 1949. The Covenant differs from the Declaration in that rather than being a statement of general principles having merely the force of a recommendation to member states, it will take the form of a multilateral convention which, if approved by the General Assembly, will be submitted to member states for signature and ratification. The first and second parts of the Bill will thus cover much of the same ground, although the text of the Covenant, which is to have the force and effect of an international treaty, will necessarily be more precise and detailed. The third section of the Bill, which remains to be agreed upon, will set forth draft measures for implementation of the Declaration and the Covenant.

Having redrafted the Covenant at its fifth session in New York (May 9 to June 20, 1949), the Commission circulated the new text to member governments with the request that any comments be submitted before January 1, 1950. Since, however, the Fourth Session of the General Assembly requested the Human Rights Commission to consider the advisability of incorporating in the Covenant articles relating to freedom of information and the press, there will certainly be further delay before a final draft is ready for presentation to the General Assembly.

Commission on Narcotic Drugs

Canada's continuing interest in the international control of traffic in narcotic drugs was recognized during 1949 by its election in the Economic and Social Council to one of the ten seats of indefinite duration on the fifteen-member Narcotic Drugs Commission. Colonel C. H. L. Sharman continued to be the Canadian Representative on that body, which held its fourth session at Lake Success from May 16 to June 3, 1949. Colonel Sharman also served as the representative of the Narcotics Commission

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*See *Canada and the United Nations, 1948,* Conference Series 1948, No. 1, pp. 90-91.

on the Drug Supervisory Body, which held meetings at Geneva in June and October.

The work which had been carried on by the second and third sessions of the Commission came to fruition on December 1, 1949. On that date the new synthetic drugs invented during the Second World War were brought within the scope of the existing system of international control, with the coming into force of a Protocol supplementing the Convention of 1931 as amended by the Protocol of 1946.

Canada signed, and at the same time ratified, the Convention on November 19, 1948. Furthermore, during 1949 work was advanced on what is likely to prove to be the Commission's most substantial achievement to date—the project for a new single Narcotics Convention. Studies prepared in the Narcotics Division of the United Nations Secretariat were considered by the Commission at its fourth session at Lake Success. The Commission approved the studies as a basis for the new Convention and requested the Secretary-General to prepare a draft convention in legal form for consideration at its fifth session in 1950.

The Commission also gave further consideration to the appointment of a Commission of Inquiry to make a detailed study in South America of the chewing of the coca leaf and of possible limitations on its production. The Commission's recommendation that a four-member body be appointed was endorsed by the Economic and Social Council and approved by the Fourth Session of the General Assembly with a suitable appropriation of funds. The Commission of Inquiry has set out to pursue its studies in Peru and Bolivia and will in due course make its report to the Narcotics Commission.

Further consideration was also given during 1949 to the proposed interim agreement to limit the production of raw opium. It was decided to appoint an *ad hoc* committee composed of representatives of the main opium-producing countries. This committee, comprising representatives from China, India, Iran, Turkey and Yugoslavia, met in Ankara, Turkey, and after experiencing some difficulty in the allocation of production shares to different countries, succeeded in fixing the shares by the time its work was completed on December 7, 1949. The *ad hoc* committee recommended that an international agency, within the framework of the United Nations, should be established in the form of an international monopoly to buy opium from the producing countries and sell it to consuming countries. The committee further recommended that a draft interim agreement be drawn up by the Narcotics Commission after consultation with the opium-producing countries. Such an agreement was to be open for signature at the Fifth Session of the General Assembly in September 1950.

The Commission on Narcotic Drugs is also charged with the responsibility of receiving the annual reports submitted by governments. A total of 101 of these reports were received for 1947, as compared with ninety-four received for 1946. The Commission drew the attention of the Economic and Social Council to a list of sovereign states and territories for which the Secretary-General had received no annual reports for the year 1947. It noted that seizures of most drugs had increased during 1948 and put itself on record as viewing with great concern the rising tide of illicit drug traffic, "especially in the Middle East, the Near East and the Western Continent" Attention was drawn to the need for continuing action to control the illegal movement of drugs.

The Permanent Central Opium Board

The Permanent Central Opium Board held separate sessions during June, September, and October 1949. At these sessions consideration was given to various problems relating to the administration of the Narcotics Convention, including: (a) control questions affecting individual countries; (b) export and import discrepancies; (c) import excesses as compared with authorized estimates; (d) significant excesses; (e) excess manufacture.

The Board also devoted study to the scale of assessment of states not members of the United Nations but participants in the work of the P.C.O.B. It also considered problems arising from the new Protocol covering the international control of synthetic drugs.

The Board received 83 per cent of all returns due from countries and territories.

Drug Supervisory Body

At its meetings in June and October 1949, the Drug Supervisory Body examined and passed upon the narcotic estimates for 1950 which it had received from sixty-one countries and eighty-eight dependent territories. Estimates were established for ten countries and five territories which had not made their own submissions. The Supervisory Body found that it was necessary to request five countries to consider the desirability of reducing their 1950 estimates for certain drugs. However, it was noted that in the cases of countries which had been in this position in the previous year, the estimates for 1950, in all but one instance, involved lower quantities than those which had been suggested by the Supervisory Body. All countries were requested in the submission of their 1950 estimates to explain the methods which they had employed in calculating the amounts and to indicate the factors, such as population figures, which had influenced the appropriation. In anticipation of the coming into effect of the Protocol covering synthetic drugs, the Supervisory Body received and passed upon estimates from twenty-eight countries and thirty dependent territories.

Joint Meetings of the Permanent Central Opium Board and the Drug Supervisory Body

These two organs, at their joint meetings in June and October, dealt with matters of common concern. In addition to routine administrative decisions, the joint meetings took action in connection with the Protocol on synthetic drugs. The meeting also agreed that both bodies should pay particular attention to the consumption of heroin, and noted that consumption of the drug had decreased in Finland, Sweden and New Zealand, and increased in the United Kingdom and some other countries.

Commission on the Status of Women

The Commission on the Status of Women was established in June 1946 by the Economic and Social Council. It consists of one representative from each of fifteen members of the United Nations elected by the Economic and Social Council. Canada is not a member.

The function of the Commission is to prepare recommendations and reports to the Economic and Social Council on the promotion of women's rights in the political, economic, civil, social, and educational spheres. It may also make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights. The Commission held its third session in Beirut, Lebanon, from March 21 to April 4, 1949.

During the three years of its existence the Commission has initiated a number of studies designed to compile extensive information about the legal, social, and economic status of women and to determine what discrimination, if any, is practised against them. One of the first of these studies took the form of a detailed questionnaire on the legal status and treatment of women, which member governments were asked to complete. The exhaustive information contained in the replies to the questionnaire may be expected to form the basis for much of the Commission's future work. The answers so far received have shown that there are numerous conflicts in the law and practice governing the nationality of married women which may, in some circumstances, place them at a disadvantage. Bearing in mind Article XV of the Universal Declaration of Human Rights, which states that "everyone has the right to nationality", the Commission has recommended, and the Economic and Social Council has agreed, that a supplementary list of questions on this subject should be circulated to member governments, which are also asked to submit their comments and suggestions as to the best method of resolving the conflicts concerned. From the information thus made available, the Secretary-General is requested to prepare for the consideration of the Commission at its fourth session suggestions as to what articles might be incorporated in an international convention on the nationality of married women. Such a convention would be meant to assure women equality with men in the exercise of the right to nationality, and especially to prevent women from becoming stateless or otherwise suffering hardship arising out of conflicts in the laws of nationality.

The Commission has not confined itself to examining the legal status of women, but has also considered various practical and customary impediments which may bar the way to economic, political, professional, and educational advancement. At the direction of the Economic and Social Council, the International Labour Organization has initiated a study of the problem of equal pay for equal work for men and women workers, and plans to discuss the question at the Thirty-Third Session of its General Conference in 1950. In accordance with the terms of the Council's resolutions, the Commission has also considered the subject and has requested the ILO to give attention to the following points:

(a) Adoption of the principle of rate-for-the job rather than rate-based-on-sex;

(b) Granting to women the same technical training and guidance, access to jobs, and promotion procedure as to men;

(c) Abolition of the legal or customary restrictions on the pay of women workers; and

(d) Provision of measures to lighten the tasks that arise from women's home responsibilities as well as the tasks relating to maternity.

The other projects (in the order of priority laid down by the Commission), which are at present under study by the Secretary-General at the request of the Commission, are as follows:

(a) Preparation of documentation on the property rights of married women;

(b) Study of access of women to education in various countries, both in law and in practice, to be carried out in collaboration with UNESCO;

(c) Report on the posts in the Secretariat and delegations to organs and agencies of the United Nations, which are occupied by women;

(d) Examination of the possibility of proposing a convention on the granting of political rights to women;

(e) Preparation of material from governmental and non-governmental sources on the application to women of penal law, police statutes, and prison administration;

(f) Publication and dissemination of biographies of women; and

(g) Preparation and publication of a quarterly account of pertinent activities of the various organs of the United Nations and its specialized agencies relating to the status of women.

Social Commission

The Social Commission was established by the Economic and Social Council in June 1946. It consists of one representative from each of eighteen member states, including Canada. The Canadian Representative is Dr. George F. Davidson, Deputy Minister of National Health and Welfare (Welfare), who will serve until December 31, 1950. His alternate is R. B. Curry, Director of Family Allowances for Canada, who has served at various sessions. The Commission's terms of reference require it to advise the Economic and Social Council on social problems in general; on measures to improve social conditions; on the coordination of United Nations activity in the social field; and on related international agreements and conventions.

During 1949 the Commission held its fourth and fifth sessions. It discussed a variety of subjects among which two of the most important, Advisory Social Welfare Services* and the draft Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others,** were the subject of recommendations from the Economic and Social Council to the Fourth Session of the General Assembly.

Apart from these topics the greater part of the Commission's work at its fourth and fifth sessions was devoted to a consideration of work programmes. On the question of "Living Conditions and Standards of Living" the Commission's secretariat reported that preparations were being made for the production of a handbook on living conditions in less developed areas covering investigations made during the past twenty years; and that work was also in progress on a survey of the organization and methodology of field enquiries on living conditions. The Social Commission approved these projects as well as its secretariat's plan for a survey of legislative and administrative measures on living standards, and for a projected digest on "minimum living standards enforceable under penalty". During Social Commission debates on this subject, the Canadian Representative stressed the interdependence of economic and social factors regarding standards of living and requested that the secretariat give due attention to both factors.

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*See "Advisory Social Welfare Services", pp. 98-99.

**See "Convention for the Suppression of Traffic in Persons", pp. 99-101.

In the field of "Housing and Town and Country Planning", ECOSOC was asked to approve a work programme for 1950 which is to include provision for: a reference and documentation centre; the publication of a bulletin, and of a legislative and administrative series; and the furnishing of advisory services and technical assistance to governments. In addition, it was decided that a meeting of experts would be held during 1950 in a tropical area to consider technical details on housing for low income groups in the humid tropics. Further, the Commission agreed that, if funds could be made available, its programme for 1950 would include two new activities: the preparation of a study of the financing of housing; and the preparation of a study of the neighbourhood unit. Finally, although agreement was reached on a tentative plan for 1950 and subsequent years, consideration of a long-range work programme in this field was deferred pending receipt of the views of other interested Commissions of the Economic and Social Council.

The fifth session of the Social Commission considered the report submitted by an international group of experts on the "Prevention of Crime and Treatment of Offenders". Although the Soviet Representative expressed the view that this subject was outside the competence of the United Nations and therefore not subject to consideration by the Social Commission, the majority of the Commission disagreed with this view. While the Commission decided to postpone discussion of the permanent employment of a body of experts in this field, it resolved to recommend to ECOSOC the adoption of a suitable work programme based on the report which it had received from its group of experts. The Commission also requested that plans be prepared for a quinquennial conference on this subject in cooperation with other international organizations and that provision be made for the Social Commission to acquaint itself with related work by other organs of the United Nations and by the specialized agencies.

Acting on a recommendation from its fourth session to the effect that the United Nations should adopt a comprehensive programme for study of action in the field of "Family, Youth and Child Welfare", the Commission, at its fifth session, drafted a statement of continuing basic functions and drew up a work programme for 1950 with suggestions for future projects subject to review by the sixth session of the Commission. Although the fourth session of the Commission had made plans for a declaration of principles regarding "Rights of the Child", the subject was not included in the agenda of the fifth session and its consideration was postponed.

The Social Commission, at its fifth session, began work on the question of "Social Aspects of the Rehabilitation of the Physically Handicapped, Including the Blind" and divided its work into two parts dealing with (a) the physically handicapped generally, and (b) the blind. These were fields in which the Commission regarded itself as competent to assume leadership and a coordinating function, although at the same time it was recognized that some of the specialized agencies were in one way or another concerned with the problem. Accordingly, a resolution was passed requesting the Secretary-General to draft a comprehensive proposal on the subject for consideration by the sixth session of the Commission. The Canadian Representative introduced a resolution on the specific problem of the "Social Rehabilitation of the Blind" which was adopted without dissent and directed to ECOSOC. The resolution dealt with a proposal of the Oxford International Conference of Workers for the Blind and favoured the development of a statement on minimum standards regarding the welfare of the blind which could ultimately be placed before governments for their consideration. The resolution affirmed the particular interest which the United Nations should take with respect to the social rehabilitation of this group, and would have the Secretary-General initiate an appropriate project or demonstration plan to give emphasis to the subject.

Economic and Employment Commission

The Economic and Employment Commission, on which Canada is represented by Mr. J. J. Deutsch of the Department of Finance, held its fourth session in May 1949. The main items on the agenda were the problems of economic development, and economic stability and full employment. In its discussion of these matters, the Commission gave particular consideration to a report from its two Sub-Commissions on (i) Economic Development, and (ii) Employment and Economic Stability. The question of the future organization and terms of reference of the Commission and the two Sub-Commissions was also examined.

On the question of economic development, the Commission noted that the General Assembly had already instituted its own technical assistance services before the Commission had had an opportunity to consider the recommendations of its Sub-Commission on the role of the United Nations and specialized agencies in that field.* Furthermore, the Economic and Social Council had dealt directly with the Secretary-General in the preparation of a plan for an Expanded Programme of Technical Assistance to underdeveloped countries. In its report to the Council, the Commission stated that "since the concern of the Commission involves consideration of the practical problems of technical assistance as well as the consideration of general principles and theoretical problems, the Commission . . . should have been given a more active part in the expansion of such assistance; . . . and that the Council would wish to consider the future role of the Commission in this matter". The Commission also expressed the view that the Sub-Commission on Economic Development had dealt inadequately with the problem of financing economic development, and suggested that the Council should arrange for a series of studies on private foreign investments, domestic savings, the effect of economic development on the volume of savings, and the possibility of establishing an international clearing-house of information through which potential investors and potential users of foreign capital in underdeveloped countries could be brought together. The Economic and Social Council subsequently adopted a resolution giving effect to this suggestion.

The Commission thought that its Sub-Commission on Employment and Economic Stability had failed to submit a significant report on the question of full employment.** Its proposals for a revision of the Articles of Agreement of the International Bank for Reconstruction and Development and the International Monetary Fund, and for holding international consultations to review the activities and policies of international organizations concerned with the maintenance of full employment, were unacceptable. With the material available and the time at its disposal, the Commission was, however, unable to present to the Economic and Social Council a programme of action to maintain high levels of production and employment. As a result of discussion of the Commission's report in the Council, the Secretary-General of the United Nations was invited to appoint a small group of experts to prepare, in the light of the current world economic situation, a report on national and international measures required to achieve full employment. The Economic and Employment Commission will examine this report and submit to the Tenth Session of the Council any comments and recommendations for action which it deems appropriate.

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*See "Technical Assistance for Economic Development", pp. 89-93.

**See "Full Employment", pp. 93-96.

Finally, the Commission adopted a report of its Committee on Organization, which had been specially constituted to examine "the future organization and terms of reference of the Commission". The decisions of the Committee, which had been largely based on a paper submitted by the Canadian Representative, were that:—

(a) the two Sub-Commissions be abolished and their present functions redistributed among the Secretariat or other experts, working individually or in special groups; and that

(b) the Commission be retained intact, but that it be viewed more as an instrument for assisting the Council in its work rather than for original research and economic reporting.

In his paper the Canadian Representative had drawn attention to political and practical weaknesses in the composition of the Commission and its two Sub-Commissions which had rendered their work relatively ineffective in the past. In particular, divergences in political outlooks of their members, aggravated by the fact that the Commission consisted of government representatives instead of "experts appointed in a personal capacity", had limited their ability to deal with economic problems on a universal basis. In addition, the growing importance of the activities of the regional Commissions and the specialized agencies tended to lower the interests of governments in the activities of the Economic and Employment Commission. Under the circumstances improvements were necessary if the Commission was to maintain its usefulness and its prestige.

The recommendations for the reorganization of the Commission were discussed at length during the Ninth Session of the Economic and Social Council. The Council, however, decided to postpone action on this matter until its Eleventh Session.

Fiscal Commission

The Fiscal Commission, which consists of representatives nominated by fifteen member states, was created by the Economic and Social Council in October 1946. Its main work consists of the collection and publication of statistical and other information relating to the financial affairs of nations, with particular reference to tax questions, and duty, revenue, and expenditure figures. The second session of the Commission took place in January 1949 at Lake Success, and the following comprehensive plan of work was determined:

(a) To continue to render technical assistance to member governments on request in accordance with the resolution of the General Assembly of November 19, 1948;

(b) To continue to build up a Fiscal Information Survey to carry out studies and compilations requested by the Fiscal Commission and to furnish authoritative information on fiscal matters to other organs of the United Nations and specialized agencies;

(c) To continue and expand the work on public finance data for each country and to prepare for each one a complete public finance survey;

(d) To compile information from member countries and to undertake analytical and comparative studies on the taxation of foreign nationals, foreign transactions, and foreign resources; and to study in particular the problem of extra-territorial taxation;

(e) To continue the compilation and study of international tax agreements;

(f) To study the granting of credits for taxes paid abroad in connection with treatment of taxes on company profits and dividends in double taxation agreements; and to study the difficulties in conventions covering the double estate taxation where cases of dual domicile are recorded;

(g) To continue the study of the effects of taxation on international trade and investment;

(h) To continue the collection of comments from member government- on the League of Nations Model Conventions and to make cons sequential studies;

(i) To continue the collection of information on legal provisions governing the administration of tax assessment and collection employed by states, and to make appropriate studies thereon;

(j) To join with other organs of the United Nations in continuing the work of the League of Nations Fiscal Committee on the economic influence of taxation with particular reference to: (i) fiscal measures to prevent depressions; and (ii) the influence of taxes upon consumption, standards of living and production; and

(k) To seek, where appropriate, the cooperation of universities, scientific institutions or learned societies on certain individual research problems of a regional or special nature.

At the ninth session of the Economic and Social Council a motion for the abolition of the Fiscal Commission was discussed. Certain delegations, and in particular the U.S.S.R., were of the opinion that the tasks of the Fiscal Commission were being adequately discharged by other organs of the United Nations. Against this other delegations claimed that the Commission had been active and useful and that much fruitful, long-range work remained to be done in fields where there was no overlapping, such as international double taxation and tax evasion. The motion for abolition was at that time rejected, but at the Fourth Session of the General Assembly doubts as to the value of the work being done by the Commission were again expressed in the Fifth Committee. As a result of the Fifth Committee's recommendation, the Assembly decided not to appropriate funds for a meeting of the Commission during 1950, and as a compromise the Commission's next session will take place in 1951 at a date to be later decided.

Canada was elected to the Fiscal Commission at the ninth session of ECOSOC in 1949 and will thus serve a three-year term commencing January 1, 1950. The Canadian attitude towards the Commission has been that, in view of the heavy programme of work which it has taken on, it deserves further time in which to justify its continued existence.

Population Commission

The Population Commission, which was established by the Economic and Social Council in October 1946, is required by its terms of reference to study and advise the Council on all population problems. It consists of representatives nominated by each of twelve member states and it maintains liaison with other United Nations organs and agencies concerned with population matters by including a representative from each as a non-voting participant in its discussions. Canada's three-year term on the Commission, during which Mr. J. T. Marshall of the Dominion Bureau of Statistics acted as Canadian Representative, came to an end on December 31, 1949.

At its fourth session in April 1949 the Commission continued work which it had already begun on the broad problem of migration. For this purpose it set up a subsidiary committee under the chairmanship of the Canadian Representative. This committee addressed itself to four main aspects of the migration problem, and made certain recommendations. The first of these was related to the statistics of international migration which, up to the present, have been notably scanty and unreliable. In this connection the committee suggested that the collection of complete and comparable statistics on the number and characteristics of migrants might be achieved by means of a statistical slip to be filled out by all persons crossing international borders. The second recommendation concerned the organization of research in the field of migration. In accordance with the committee's suggestion, the secretariat of the Population Commission was asked to investigate three related subjects: legal rights of migrants; methods of estimating the volume of migration from census tabulations; and immigration and emigration legislation. Thirdly, the committee considered the problem of the interrelationship of economic, social and population facts and recommended that any studies of this problem should be concentrated in specific areas rather than carried on through the medium of abstract models. (India has now invited the Secretary-General to initiate the first study of this kind.) Finally, the Commission asked that attention be directed to the problems of achieving completeness of registration of vital statistics, and of obtaining the data needed for the application of improved methods of constructing infant mortality rates. All four of these recommendations were forwarded to and concurred in by the Commission, and have now been circulated to member governments for comment.

In addition to the recommendations submitted by its Committee on Migration Problems the Commission's secretariat has undertaken analytical studies in the same field along two main lines: the compilation of an historical series of statistics on international migrants by age and sex since the First World War, covering some thirty-five countries; and determination of the effect which migration has had upon population changes since 1900. In view of the post-war increase in Canadian immigration activities the completion of these studies should be of particular interest to Canada.

The Population Commission has assisted in preparing plans for the widespread censuses of population to be taken in some thirty-five countries in 1950 and 1951, and has, together with the Statistical Commission, recommended procedures to be followed. At earlier sessions twelve subjects, upon which international comparability is particularly desirable, had been recommended by the Commission for inclusion, and of these special emphasis was placed on five: total population; sex; age; marital status; and classification by occupation, industry, and social status. At its fourth session the Commission extended its suggestions to cover uniform definitions and classifications of these subjects as well as the tabulations which it would be useful to obtain. With only minor exceptions the system in use in Canada meets the definitions and detail of tabulation thus suggested.

Statistical Commission

The Statistical Commission was established by the Economic and Social Council in June 1946. It has three essential functions: to make recommendations for the improvement of statistical standards and the achievement of international comparability in statistical series; to advise on the coordination of the statistical work of the specialized agencies; and to advise the Statistical Office of the United Nations concerning its programme of work. The Commission consists of representatives from twelve member countries; Canada's three-year term on the Commission expired on December 31, 1949, and was not extended at the elections held during the fourth session of the Commission in April and May 1949. At that time the Netherlands Representative was elected to the chairmanship of the Commission, which had been held for the previous three years by the Canadian Delegate, Mr. Herbert Marshall, Dominion Statistician.

Experience has shown that, as the Commission's work is highly specialized, much of it can best be carried out by groups of expert consultants with outstanding specialist qualifications. The Commission discusses the results of their deliberations and, if in agreement, gives them the backing of its prestige in the form of a recommendation to the Economic and Social Council for adoption by member states. This was the procedure followed in the case of the Standard Industrial Classification of All Economic Activities which has already been incorporated in the official statistical tabulations of many countries as a means of achieving international comparability of basic industrial statistics. The same procedure was followed in revising the Minimum List of Commodities for International Trade Statistics. The List prepared by the expert consultants was substantially accepted by the Commission, although the final recommendation awaits the comments to be received from member governments concerning their ability to prepare or regroup their national data within the framework of the List.

One of the Commission's responsibilities is the proper allocation of statistical functions and activities and for their coordination among the various United Nations agencies. In this connection one of the earliest proposals made by the Commission was that a working group be set up under the chairmanship of the Director of the United Nations Statistical Office for day-to-day consultation in the task of avoiding duplication in statistical matters both within the United Nations Secretariat and among the specialized agencies. The Commission continued during 1949 to give guidance towards the progressive elimination of such duplication. The Commission has also promoted studies within the Secretariat of a number of technical matters on which international agreement is desirable. Such studies are designed to ensure that proposals made are technically sound and capable of practical application in the statistical systems of the countries concerned. Among the important subjects now being actively pursued are national income indexes of industrial production, price indexes including national income deflators, and transport statistics.

For the performance of its specialized work the Commission has established two Sub-Commissions (a) on Statistical Sampling and (b) on Statistical Classification. The former has now held three sessions. It has made recommendations on the use of sampling methods in family budget enquiries; on censuses of population and of agricultural production; and on the collection of periodic statistics of manpower. Its recommendations with regard to the proper preparation of sampling surveys and a proposed standard terminology may be expected to have valuable results in making internationally accessible the results of research work carried on by the various national authorities in this field.

Finally, the Statistical Commission has been concerned with the problem of the world shortage of fully trained and qualified statisticians. It has realized that the implementation of its recommendations depends on this shortage being overcome, and it is especially interested in increasing the number of technically qualified persons in countries whose statistical systems are not well developed. The Commission is for this reason entering into arrangements with the International Statistical Institute and with UNESCO, to meet this problem in the long run by increasing the number of courses and by an expansion of relevant educational facilities. It is hoped that some progress may also be made in the short run by means of special training programmes and the exchange of personnel. Since the most pressing needs will arise in 1950 and 1951 from the censuses of population and agriculture to be taken in those years in many countries, a number of courses in census methods have been held, with encouraging results.

Transport and Communications Commission

The Transport and Communications Commission was established by the Economic and Social Council in June 1946 to replace a temporary body which had been set up in February of the same year. Its membership consists of one representative from each of fifteen member states of the United Nations, selected by the Economic and Social Council for a term of three years. Canada is not represented. The function of the Commission is to assist the Economic and Social Council in matters relating to transportation and communication.

At its Ninth Session the Economic and Social Council considered reports which had been submitted to it by the third session of the Transport and Communications Commission. On the basis of these reports the Council passed resolutions, the most important of which:

(a) instructed the Secretary-General to continue his studies, and inform the Transport and Communications Commission, on progress in the fields of passports and frontier formalities;

(b) invited member states to comment on reports by the United Nations Secretariat and the International Chamber of Commerce on barriers to the international transport of goods;

(c) invited the views of member states on a memorandum by the United Nations Secretariat on a set of rules drawn up by a conference held in Oslo in 1947 concerning the unification of maritime tonnage measurements; and

(d) instructed the Secretary-General to request from member states, and forward to the Transport and Communications Commission, their views on problems of maritime shipping, including freight rates, affecting Latin America.

In addition to these items, which were dealt with in the form of resolution, by the Economic and Social Council, the Transport and Communications Commission also considered at its third session: measures for the coordination of activities in the fields of aviation, shipping, telecommunications and meteorology in regard to safety of life at sea and in the air; problems in the field of inland transport; and the question of transport statistics.

Economic Commission for Asia and the Far East

The Economic Commission for Asia and the Far East (ECAFE) was established by a resolution of the Economic and Social Council in March 1947. Its terms of reference provided that it should initiate and participate in measures for facilitating concerted action for the economic reconstruction of Asia and the Far East; for raising the level of economic activity in those regions; and for maintaining and strengthening the economic relations of these areas both among themselves and with the other countries of the world.

Canadian interest in the work of ECAFE arises from Canada's position as a nation bordering on the Pacific Ocean, as one of the major trading nations of the world, as a member of the Far Eastern Commission, and from Canada's general concern with the economic recovery of the whole Pacific area. Although Canada was a member of the Working Group on Asia and the Far East and took an active part in framing ECAFE's terms of reference, Canada did not seek membership of the Commission. However, in case questions of direct concern to Canada should arise in the work of the Commission, provision has been made in its terms of reference for Canada to participate in the deliberations of the Commission in a consultative capacity.

Besides the original members of the Commission (Australia, China, France, India, the Netherlands, the Philippines, Thailand, the United Kingdom, the United States and the U.S.S.R.), three others, Pakistan, Burma and New Zealand, have been admitted to full membership. Associate memberships, carrying full privileges except the right to vote in plenary sessions, have been extended to Ceylon, Hong Kong, Malaya and British

Borneo, Cambodia, Laos, Nepal, the Republic of Korea, Viet Nam, and the United States of Indonesia. Working arrangements have been developed with various specialized agencies, particularly FAO, ILO, the International Monetary Fund, and the International Bank for Reconstruction and Development. A Bureau of Flood Control was established in November 1948 and the Chief of the Bureau assumed office in April 1949.

The first four sessions of ECAFE, which took place during 1947 and 1948, had been mainly concerned with matters of organization and planning. The fifth session of ECAFE was held in Singapore from October 20 to 29, 1949. Unfortunately, as in previous sessions, a considerable amount of time was devoted to political discussion, particularly with regard to admission of new members. However, the reports which were submitted to the Commission, and the recommendations which were made in connection with them, indicated that ECAFE was making some progress in its prescribed studies and in the formulation of plans for the development of industry and the removal of restrictions on trade in the Far Eastern area. It is noteworthy that the Ninth Session of the Economic and Social Council, in April 1949, approved the establishment of three subsidiary bodies for the Commission. These are the Committee on Industry and Trade, and Sub-Committees on Iron and Steel, and on Travel. It is hoped that with the establishment of these bodies ECAFE will be enabled to play a more constructive role in the provision of detailed statistical and technical information and will be increasingly useful as a medium for the exchange of views and the formulation of plans for the economic development of the countries in the area. Canada has welcomed this evidence of ECAFE's development. In the Canadian view any scheme for self-help towards economic development in the Far Eastern region is desirable since the economic aspects of regional integration are becoming increasingly important in raising the standard of living of the inhabitants of these countries.

There has been a considerable increase in the size of the secretariat of ECAFE since January 1949. Organizational improvements have been effected with a view to increasing the assistance which the secretariat can provide to member states. Owing to developments in China, the secretariat moved its working offices during 1949 from Shanghai to Bangkok, Thailand.

Economic Commission for Europe

The Economic Commission for Europe was established by the Economic and Social Council on March 28, 1947. Its functions are to initiate and participate in measures for facilitating concerted action in European economic activity, and for maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world.

Canada is not a member of this Commission. The successful development of satisfactory economic conditions in the countries of Europe is, however, of great importance to Canada since Europe, as a whole, is one of Canada's largest customers and is also a valuable source of supply. Canada therefore maintains contact with the Commission through the Canadian Delegation to the European Office of the United Nations, which, like the headquarters of ECE, is situated in Geneva. In addition, this country has supplied data, on request, to the Commission concerning the production of certain materials, such as timber and steel; and the Commission, in turn, has been able to use this information for the purpose of making recommendations on the allocation of scarce materials among the European countries.

The ECE is the oldest and the most developed of the regional economic commissions established by the United Nations. It has become an important factor in the international effort to rehabilitate the European economy. Under the direction of the well known Swedish economist, Gunnar Myrdal, the Commission has been successful in gathering and interpreting a large body of statistics contributing to the orderly development of European production. The Commission has also been of great value in serving as a body through which studies have been conducted for effecting improvements in several specific fields of production. It has established a number of committees to recommend allocations and technical improvements in such fields as coal production, electric power, industrial materials, inland transportation, manpower, steel, timber, and agricultural problems. The Coal Committee, for instance, set itself the objective of attaining European self-sufficiency in the supply of solid fuels. By a system of intra-European allocations, by bringing coal-producing and coal-consuming countries together, and by recommending measures for the improvement of coal production, this Committee is well on the way to achieving its objective. The recommendations made by the various committees are based on exhaustive and careful study, and have therefore been given serious attention by member governments.

The activities of the Commission have been hampered by the political differences which divide Western Europe and the Cominform countries to the East. The Commission's annual sessions have reflected Cominform opposition to the Marshall Plan and to the establishment of the Western German Republic. Nevertheless, the practical successes of the Commission are particularly significant in the face of these difficulties. Although the Commission has not been able to achieve large-scale exchange of goods between Eastern and Western Europe, it has been able to serve as a neutral agency for the development of a considerable amount of such trade.

The Annual Report of ECE to the Economic and Social Council, published in May 1949, presents a summary of the year-round activities in the various fields within the Commission's compass. It records the Commission's role in the continued recovery of Europe in 1949; the increase in production in that area; and the work and degree of success of its various committees. Finally, the Report indicates the Commission's basic difficulty: the reconciliation of European political differences with the economic needs of the continent.

Economic Commission for Latin America

The Economic Commission for Latin America was established in February 1948 by the Economic and Social Council. Its terms of reference are similar in nature to those of the other two regional economic commissions. Its functions are to initiate and participate in concerted action designed to deal with urgent economic problems arising out of the War; to raise the level of economic activity in Latin America; and to maintain and strengthen the economic relations of the Latin American countries among themselves and with other nations of the world. Its membership is open to member states of the United Nations in North, Central and South America, the Caribbean area, and to France, the Netherlands and the United Kingdom. Canada is not a member of this Commission.

Up to the end of 1949 the Commission's work had been mainly organizational. At its first session held in Santiago, Chile, in June 1948, delegates discussed the scope of the Commission's activities and gave its secretariat detailed instructions for immediate projects of documentation. The Commission agreed upon the preparation of an economic survey for Latin America in order to provide the necessary statistical and economic data upon which to base its future work. Working arrangements were made with certain of the specialized agencies of the United Nations and with the Inter-American Economic and Social Council in order to avoid duplication of activities.

The Commission held its second session in Havana between May 29 and June 14, 1949. As a result of the decisions taken at this meeting the scope of the Commission's programme has been substantially broadened. New lines of cooperation with existing international organizations were defined and those already in operation were strengthened. The economic survey, which had been prepared by the secretariat, was discussed and the Commission set up subsidiary committees to deal with various aspects of the survey, such as agriculture, trade, migration, capital investment, transport, and multilateral compensation for international payments. The Commission also instructed its secretariat to undertake special studies dealing with these and other related matters for consideration at the third session, which is scheduled to be held in Montevideo, Uruguay, in the second half of 1950.

The Commission also arrived at certain recommendations on the basis of information already available to it. In the field of agriculture, for instance, recommendations were approved for measures to be taken to increase production, to improve the quality of livestock, and to increase mechanization. The possible application of the United Nations Technical Assistance Programme to Latin America was of particular interest. Channels for such economic assistance were discussed and the governments of Latin American states were invited to submit statements of their needs for technical assistance, which will be forwarded to the Secretary-General of the United Nations in order to expedite the implementation of the Programme. The attention of the Latin American governments was also called to the United Nations regular programme of technical assistance which has been in operation since the Third Session of the General Assembly in November 1948.

In addition to the studies mentioned above, the secretariat of the Commission was instructed to prepare a second annual economic survey.

V

SPECIALIZED AGENCIES

Role of the Specialized Agencies in the United Nations System

One reason for the feelings of frustration and concern which are so often expressed about the United Nations is the over-emphasis on the political bickering and apparently fruitless propaganda debates which take place, for the most part, in sessions of the General Assembly and the Security Council. The excessive publicity which these attract has led too many people to ignore not only the achievements of the Assembly and the Security Council but also the contribution which other units in the United Nations system, and particularly the specialized agencies, have made to the attack on the social and economic problems facing the world. It has often been emphasized that the development of an international consciousness is necessary before universal peace will be attained. The role of the specialized agencies in creating this consciousness is particularly important not only because of the results they may achieve in raising living standards of people in all parts of the world, but also because they engage nations in cooperative enterprises in the achievement of which their political differences may be overcome. The creation of agencies to deal with economic, social and educational problems on an international basis has broadened the points of contact among governments and people and may thereby contribute materially to the improvement of international relationships.

When the blueprint for the United Nations was being drawn up and discussed during 1944 and 1945, it was decided that direct responsibility for many types of economic and social programmes should be entrusted to separate agencies loosely related to the United Nations proper but maintaining a large degree of autonomy. This was done in order to avoid the danger that the political preoccupations of the United Nations might lead to the neglect of important projects, and in order to give the nations greater freedom to choose the joint activities in which they might have primary interests. By the end of 1949 ten specialized agencies had been established and had concluded formal agreements with the United Nations. These agencies, in all of which Canada holds membership, are: the International Labour Organization; the International Civil Aviation Organization; the Food and Agriculture Organization; the United Nations Educational, Scientific and Cultural Organization; the International Telecommunications Union; the International Bank for Reconstruction and Development; the International Monetary Fund; the Universal Postal Union; the World Health Organization; and the International Refugee Organization. Canada is also taking a part in the formation of the International Trade Organization, the Inter-governmental Maritime Consultative Organization, and the World Meteorological Organization, which have not yet been established in their final form.

While the concern of the agencies is with functional problems, they are not free of the political controversies which inevitably result from worldwide membership in international organizations. From time to time the propaganda battles in the General Assembly and the Security Council are renewed at meetings of the agencies where spokesmen of the Soviet Union and its satellites on the one hand, and those of the non-Communist nations on the other, air their views on the social, economic and political systems of their opponents. The extent of this controversy is limited to some degree by the fact that the Soviet Union is not now a member of the principal agencies. In most of them, however, at least one satellite is represented and expresses the Soviet view.* Political skirmishing has been particularly evident in the International Telecommunications Union and the International Labour Organization: in the ITU the importance of radio as a propaganda weapon has been underlined in the long-drawn-out negotiations over the allocation of frequency bands; at ILO meetings the division between Communist and non-Communist trade unions has been equally pronounced. Sometimes the agencies themselves come under direct attack as a result of political differences. For instance, during the last session of the General Assembly, the Polish Delegate accused the IRO of conspiring with the "capitalist powers" for the transportation of a group of Polish children to Canada from a Displaced Persons camp in Africa. The WHO has also been denounced by the U.S.S.R. and by Bulgaria, both of whom, during the last year, withdrew from the Organization on the grounds of dissatisfaction with the methods adopted by it and the results achieved. Discussions on the admission of new members have also given rise to political recriminations as, for instance, in the case of Spain and Israel. On these, as on many other questions, political differences are not confined to the basic divergences between the Eastern and Western powers.

Whatever criticism there may be of the over-ambitious programmes of some of the agencies or the inefficient administration of others, there can nevertheless be general agreement that they have already made a substantial contribution to the cause of international cooperation. Of those which were in existence before the Second World War the Universal Postal Union has ensured collaboration among the postal services of the world, and the International Labour Organization has discussed and presented, in a practical form, measures relating to the economic and social well-being of the workers which have been adopted by legislatures throughout the world. Of the newly established agencies the International Bank and the International Monetary Fund have facilitated the flow of capital for the reconstruction of war-devastated countries and the economic development of underdeveloped areas; IRO has been instrumental in re-establishing and rehabilitating more than a million persons uprooted by the Second World War; FAO and WHO have had considerable success in helping countries to meet their food and health problems; ICAO and ITU, by bringing together world experts and technicians in aeronautics and telecommunications, have helped to ensure the orderly international development of these important media; UNESCO has done useful work in assisting countries affected by the war to revive their educational and cultural activities.

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*The U.S.S.R. has boycotted all the specialized agencies except the International Telecommunications Union and the Universal Postal Union. Among its satellites Czechoslovakia, Hungary and Poland are members of the majority of the agencies.

For the full membership of the specialized agencies, as at March 15, 1950, see Appendix 37, pp. 300-302.

The record of the specialized agencies is not, of course, perfect. In the years immediately following the Second World War, some of them, and particularly WHO and UNESCO, launched ambitious programmes which were difficult to implement because of the shortage of personnel, the failure to concentrate on those projects likely to bring the greatest and most immediate returns for the expenditure involved, or a tendency to embark on these projects without ensuring that the funds necessary for their implementation would become available. There has been, furthermore, a tendency to decentralize the activities of many of the agencies by the establishment of regional administrations before the initial stages of staffing and organization have been completed and before it has been determined that an elaborate regional structure is necessary—at least for the time being. While considerable progress has been made in coordinating the activities of the agencies, much still has to be done to prevent duplication and overlapping. There is cause for concern in the constantly increasing number of meetings held and documents issued by the agencies, both of which strain the resources of governments which take their responsibilities seriously.

In fairness to the secretariats of the specialized agencies, it must be emphasized that the major responsibility for the policies and programmes of the agencies lies with the member states. Sometimes over-zealous representatives have given strong support to projects without due regard for the financial and administrative implications or to the ability of individual countries to do their share in implementing these projects. Even the best of secretariats would find it difficult to carry out the vague compromise agreements which have sometimes issued from the governing bodies and general conferences of the agencies. Most of the specialized agencies have been faced with the difficulty of obtaining trained personnel at a time when all countries were short of specialists for domestic needs. Then too, it is often difficult to reconcile the need for staffs of the highest competence, integrity and efficiency with the principle that selections should be made with due regard for as wide a geographical distribution as possible. In the light of these and other problems, the achievements to date of the administrative staffs of the agencies are not inconsiderable.

The Problem of Coordination

One of the most important problems of international organization is that of the coordination of the activities of all the organs of the United Nations, and in particular those of the specialized agencies and other intergovernmental bodies. In the four years since it was launched at San Francisco, the United Nations system has expanded into a complex structure with far-flung administrative headquarters and regional offices, general conferences, councils, boards, committees, and field services. The rapid growth of projects and programmes of the intergovernmental bodies has created an urgent necessity to avoid overlapping and a demand for simplification of the existing structure and the greatest possible coordination of plans, work programmes, budgetary allocations, and administrative techniques, so that the limited human and material resources available to the United Nations and the agencies can be used most effectively. The achievement of these aims is particularly necessary with respect to the plan for technical assistance to underdeveloped countries, the first major test of the United Nations and the agencies in working together to carry out a constructive programme.

Under Article 58 of the Charter, the United Nations is required to make recommendations for the coordination of the policies and activities of the specialized agencies; and responsibility for the discharge of this function is, under Articles 60 and 63, vested in the General Assembly and in the Economic and Social Council. The latter, in accordance with the General Assembly's request, created in October 1946 a Committee on Coordination for the purpose of ensuring "effective implementation of the agreements entered into between the United Nations and the Specialized Agencies". This Committee is empowered to examine the programmes of the functional commissions of the Council itself with a view to making recommendations regarding priorities. However, the Coordination Committee has no such authority with respect to the programmes of the agencies and, in dealing with them, it must limit itself to offering suggestions which the Council may pass on to the governing bodies of the various agencies or direct to the member states.

In the interval between ECOSOC meetings, an Administrative Committee on Coordination (the ACC), established under Council authority and consisting of the Secretary-General of the United Nations as Chairman and the Directors-General of the various specialized agencies as members, deals with day-to-day problems of coordination. This Committee is an administrative instrument enabling the chief executive officers of the organizations meeting in that capacity to discuss matters of common concern. Its functions, as outlined in an ECOSOC resolution dated March 10, 1948, are "to transmit to the Council any suggestions it may wish to make on the form and content of the specialized agency reports, to draw its attention to any apparent overlapping or duplication of activities of the United Nations and of the agencies and to examine the possibility of attaching sufficient budgetary information to the work programmes of the agencies to enable the Council to appraise their relevant scope". The most important task placed before the ACC during 1949 was that of preparing the comprehensive plan for the Expanded Technical Assistance Programme which was unanimously approved by the General Assembly during its autumn session.

Because of the autonomous character of each of the specialized agencies and the fact that membership in the United Nations and the agencies is not uniform, there are certain inherent weaknesses in the machinery for coordination described above. As was pointed out, ECOSOC's Committee on Coordination and the Council itself have no direct supervisory powers and must limit themselves to offering suggestions. The ACC, not being composed of political representatives of the various states, has no authority to deal with the policy aspects of coordination. These weaknesses have led to a certain amount of confusion and to an appearance of disorder and lack of integrated effort when the programmes of the specialized agencies are viewed as a whole.

Canadian delegations to the United Nations have always insisted that, since the Economic and Social Council has no power to direct the policies and activities of the agencies but only the power to make recommendations, the ultimate remedy in case of conflict between the agencies or lack of coordination between them lies in the hands of national governments. The Canadian Government, in order to improve the coordination of Canadian policies in the United Nations and the agencies, has established an Interdepartmental Committee composed of senior members of the Departments having a primary interest in one or more international organizations.

The question of coordination on the international level was drawn to the attention of member states on November 24, 1949, when the General Assembly unanimously adopted a resolution expressing concern with the proliferation of the activities of the United Nations, its subsidiary organs and the specialized agencies. The resolution contained an appeal to governments to refrain from new initiatives unless they were urgent or necessary to achieve the purposes of plans already under way; requested the United Nations and the agencies to reduce the number of international meetings; and stressed the necessity for prompt payment of contributions.

The Canadian view has been that coordination, apart from that which is effected through the Administrative Committee on Coordination, can be exercised effectively by the Economic and Social Council only through suggestion, example and the cooperative study of problems. It is not realistic at the present time to expect or to suggest that an acceptable coordination plan could be devised which would give the Economic and Social Council or the Council's Committee on Coordination any final authority on the allocation of priorities in work programmes of the specialized agencies, or on policy decisions affecting substantive questions which fall clearly within the jurisdiction of individual specialized agencies. There are, furthermore, valid objections to giving the Council or the Assembly unlimited control over the agencies lest those countries which do not participate in the work of the agencies are provided with the opportunity to interfere irresponsibly with their activities and policies.

Much useful work has already been done by ECOSOC's Coordination Committee and by the Administrative Committee on Coordination and it is gratifying to note that this machinery is being used to an increasing extent for consultation in the planning of joint programmes and activities. Apart from the plan for technical assistance, cooperation has been achieved in the fields of public information, health, transport and communications, fellowships, statistics, refugees, migration, housing, and other social and economic spheres which, in one aspect or another, fall within the scope of several of the agencies. Coordination is a continuous and long-term undertaking of which the results will gradually become apparent as international organizations become accustomed to working together towards predetermined goals. As indicated above, greater progress depends to a large degree on the extent to which individual governments coordinate the policies of their delegations at international meetings.

Food and Agriculture Organization

The Food and Agriculture Organization of the United Nations (FAO) was conceived at a special conference at Hot Springs, Virginia, in May 1943, and finally brought into being at Quebec, in October 1945. It has as its objectives the raising of levels of nutrition and standards of living of the peoples of all countries, improvement in the efficiency of production and distribution of farm, forest, and fisheries products, and the betterment of the conditions of rural populations.

By the end of 1949, FAO had a membership of sixty-three states, each with one vote in the Conference or governing body. The FAO Council acts for the Conference between the latter's annual sessions, while the work of the Organization is supervised by the Director-General, who is appointed by the Conference. The present incumbent, Mr. Norris E. Dodd, was appointed in 1948 as successor to Lord Boyd Orr.

The technical divisions of FAO—Agriculture; Distribution; Economics and Statistics; Forestry and Forest Products; Nutrition; and Rural Welfare—provide a wide range of fact-finding and advisory services designed to furnish vital information as a basis for sound national and international action on the problems of food and agriculture, forestry and fisheries.

Report of the Director-General for 1948-49

The report of the Director-General on the Work of FAO during 1948-49 describes the four major activities carried on by the Organization:

(1) FAO has served as a world extension and advisory agency applying modern scientific knowledge for increased production, improved handling and processing, and better distribution of food and other farm, forest and fisheries products. Examples of such technical aid to governments include the fight against rinderpest and other deadly livestock diseases; the control of insects and other destroyers of growing crops and stored grains; widespread distribution of seed of improved crop plants; soil conservation planning and demonstration; surveying of irrigation and drainage needs and possibilities to open new lands to production; planning of farm mechanization programmes; training of government statisticians; and assistance in formulating national goals in production, trade and consumption and laying out plans to achieve them.

(2) FAO has brought governments together and worked closely with other agencies in organizing international action in these fields. Examples of this work include the setting up of the new International Rice Commission to deal with urgent problems of the whole rice economy, and the new Indo-Pacific Fisheries Council to help governments increase production of food from sea and inland waters; the organization of regional forestry commissions in Latin America and Europe to promote and integrate forest development; work with the World Health Organization on the agricultural aspects of malaria control programmes and with UNICEF in its child-feeding programme.

(3) FAO has compiled and published information relating to the production, processing, trade, prices and consumption of agricultural, forestry and fisheries products. Examples of this work

include commodity bulletins, statistical yearbooks for agriculture and forestry, and periodical statistical reports on agriculture and fisheries.

(4) Much effort also has been devoted to appraising the outlook for production and consumption and to problems of international trade in food and agricultural commodities vital to the welfare of large numbers of producers.

The World Food Situation

According to the picture of the world food situation and prospect presented to the Fifth Session of the Conference of FAO meeting at Washington, November 21 to December 6, 1949, total world agricultural production has regained pre-war levels. The population of the world, however, has increased about 10 per cent in the past decade so that supplies available per person are still below those of the pre-war period. The food supply is also nutritionally inferior, since the higher production of starchy or energy-producing foods does not compensate for the reduction in the production of the high-protein protective foods. Consumption disparities between nations have become magnified. While agricultural production in the Far East and Europe has not yet fully recovered to the pre-war level, in some other areas, particularly North America, a substantial expansion in production has occurred. Some of the best fed nations in the pre-war period have thus become better fed during the past decade while some of the less well fed nations have suffered a reduction in their levels of consumption.

The Conference examined the proposals contained in the Report on World Commodity Problems prepared by a panel of economic experts appointed by the Director-General. The Report dealt with the problem of agricultural commodity surpluses, and recommended the creation of an International Commodity Clearing House, with an international fund, and power to buy and sell surplus agricultural commodities on special terms.

The Canadian attitude to the International Commodity Clearing House proposal was expressed by Mr. J. G. Gardiner, Minister of Agriculture, in the following terms:

" . . . The imminent appearance of food surpluses in the world is of particular interest to Canada which, since the beginning of the century, has been a food exporting country.

" . . . Canada, therefore, is prepared to give serious consideration to any international action designed to attain production and distribution of food. From this point of view we are interested in the proposal advanced by the Director-General for an International Commodity Clearing House. While endorsing the principle underlying this proposal we are not in agreement with the means which, it has been suggested, are necessary to reach the objectives."

The Conference found that it was unable to recommend the establishment of ICCH, declaring that the financial functions proposed for ICCH "could be performed by the governments directly involved". It was pointed out that exporting and importing countries could devise provisions relating to the financial difficulties in the particular commodity involved, within the framework of individual commodity agreements. It was generally agreed, that, where they are practicable, commodity agreements provide the best method for dealing with the current or prospective surplus commodity situation.

The principles governing these agreements and the mechanism for concluding them are set forth in Chapter VI of the Havana Charter for an International Trade Organization. Although the charter of ITO has not come into force, the functions proposed for the Organization in this field have been delegated by the Economic and Social Council of the United Nations to the Interim Coordinating Committee for International Commodity Arrangements. FAO provides one of the three members of ICCICA. The Conference recommended that FAO should make greater use of ICCICA for securing action on the surplus problems reported by member governments.

In addition, the Conference established an FAO Committee on Commodity Problems. This is an advisory body created to give attention primarily to the food and agricultural surplus commodity situation arising from balance of payment difficulties. The Committee on Commodity Problems will be under the supervision of, and responsible to, the Council of FAO. It will consist of fourteen members representing member governments of FAO, to be appointed annually by the Council of FAO, and will function to assist food deficit and surplus countries in effecting transactions for the movement of surpluses. It may initiate discussions between governments with a view to promoting international action. Members of the Committee, as appointed by the FAO Council immediately following the Conference, are: Australia, Brazil, Canada, Cuba, Egypt, France, India, Indonesia, the Netherlands, Pakistan, Poland, the United Kingdom, the United States and Uruguay.

Remaining Decisions of the Conference

The Conference endorsed FAO's full participation in the Expanded Programme of Technical Assistance for economic development approved by the General Assembly on November 16, 1949. The Director-General was requested "to undertake activities in the furtherance of the Expanded Programme of Technical Assistance" with due regard to the directives given both by the Conference and the Council of FAO and by ECOSOC and the General Assembly. The Director-General was authorized to enter into understandings with the appropriate authorities of the participating countries and to report to the Technical Assistance Committee of ECOSOC through the Technical Assistance Board. In another resolution the Conference adopted a system of priorities in considering requests for assistance under this programme.

The increase in decentralization of FAO's activities was welcomed by the Conference which noted with satisfaction the successful establishment of regional councils or commissions on fisheries, forestry and forest products, and on certain phases of agriculture. Other detailed recommendations were made in the fields of agriculture; distribution; economics, marketing and statistics; fisheries, forestry and forest products; information; nutrition; and rural welfare.

The Conference decided to establish FAO's permanent headquarters in Rome. The final vote after four ballots to eliminate alternate sites, was 30 for Rome, 28 for the United States. It is not expected that the move can take place before the spring of 1951.

A revised scale of contributions for member nations was adopted by the Conference. Under this new scale Canada's share will be 4.5 per cent of the budget, or $225,000.

Canada, as an important agricultural producer and exporter, has maintained a close interest in FAO and has played a prominent role in its development. A Canadian was a member of the original Executive Committee of the Organization, and Canada has had continuous representation on the eighteen-member Council of FAO which replaced this Committee. Canadians are on most of the standing advisory technical committees, and have taken part in many of the technical missions sent to underdeveloped countries by FAO. Canada has been able to provide some technical assistance to other nations through FAO and on the other hand has benefited materially from the technical and statistical information supplied by FAO and through participation in discussions on national and international policies relating to agricultural production and distribution.

Havana Charter for an International Trade Organization and the General Agreement on Tariffs and Trade

When the text of the Havana Charter was finally agreed to by fifty-four governments in March 1948, it was expected that the International Trade Organization for which the Charter provided would be established during 1949.* This hope was not realized. Although the Interim Commission of the ITO has virtually completed its long and arduous task of making the necessary preparations for the first year's work of the future Organization, the Charter itself has not yet received the formal acceptance by at least twenty countries which is required to permit the establishment of the ITO. Acceptance of the Charter by certain countries is essential. Chief among these is the United States, at whose initiative the proposal for an ITO was originally launched in 1945.

Since the end of the Second World War the everyday and short-term international economic problems have monopolized the attention and efforts of most countries. Nevertheless, it must be said that the principles and rules of the Havana Charter have undoubtedly assisted in the solution of these current economic problems. In doing so, it has helped towards the restoration of the type of world economic conditions in which it will be possible to launch the ITO with a realistic hope that it will fulfil the vitally important objectives for which it was designed. Many of the basic objectives of the Havana Charter, in particular the reduction and control of trade barriers, are being implemented today by over thirty countries which are applying, provisionally, the General Agreement on Tariffs and Trade. These are the countries which conduct well over 80 per cent of world trade.

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*Because of the complex and technical nature of the provisions contained in the General Agreement on Tariffs and Trade, it is not possible to discuss in detail the results and significance of this Agreement within the scope of the present article. A more detailed report on the Third Session of the Contracting Parties is given in "External Affairs", October, 1949. Details of the Annecy tariff negotiations, with particular reference to those of interest to Canada, are obtainable in press release No. 70, Department of External Affairs, issued on October 10, 1949. For a fuller account of the working of the General Agreement on Tariffs and Trade from January 1948 to August 1949, see "The Attack on Trade Barriers", published by the Interim Commission of the International Trade Organization at the request of the Contracting Parties to the General Agreement.

In spite of two basic handicaps, namely the dollar problem and the delay in the establishment of the ITO, the General Agreement is forging its way ahead as well as can be expected under present conditions. The year 1949 brought a further and substantial extension of the scope of the General Agreement and established it even more firmly as an important multilateral instrument in the field of international commercial relations.

The main functions of the General Agreement, from which it derives its significance, can be summarized as follows: to consolidate the progress which is being made towards the restoration of a multilateral trading world; to permit significant reduction in trade and tariff barriers; to afford a forum for the discussion and solution of international commercial problems; and to ensure that the maze of current restrictive measures will not freeze into a set pattern of bilateralism, controls and discrimination.

Canada, as one of the leading trading nations of the world and one to which international trade is of such vital importance, has contributed its full share as a member of the General Agreement since its provisional application in January 1948.

The main achievement of the Agreement in 1949 was the Annecy Conference on Tariffs and Trade. The Conference was under the Chairmanship of Mr. L. D. Wilgress of Canada, who has been chairman of the meetings of the countries which are parties to the General Agreement since its establishment in 1947. The Annecy Conference, which opened in April and concluded its work late in August 1949, had two main purposes. The first was to hold the Third Session of the twenty-three countries which were at that time members of the General Agreement; the second was to conduct tariff negotiations in order to permit an additional ten countries to join the Agreement.

Third Session of the Contracting Parties

The following list of questions dealt with by the Contracting Parties at the Third Session will give some indication of the work done under the General Agreement:

(a) Quantitative restrictions on imports imposed for balance of payments reasons;
(b) Quantitative import restrictions designed to permit economic development;
(c) Proposal to apply provisionally Chapter VI of the Havana Charter, dealing with intergovernmental commodity agreements;
(d) Text of Special Exchange Agreement, with countries which are not members of the International Monetary Fund;
(e) Most-favoured-nation tariff treatment for Japan;
(f) The relation between the provisions of the General Agreement and bilateral agreements providing for tariff margins of preference;
(g) Customs Union between South Africa and Southern Rhodesia;
(h) Report on re-negotiations of certain items in the Geneva Tariff Schedules of certain countries;
(i) Consideration by the Contracting Parties, at the request of Czechoslovakia, as to whether or not the United States had failed to carry out its obligations under the Agreement through its administration of the issue of export licenses;

(j) Modifications of the agreement made necessary when Newfoundland became a Province of Canada;

(k) Similar modifications consequent upon the changed international status of Palestine;

(l) Operation of the rules and procedures governing the tariff negotiations as well as the terms under which ten "new" countries were to join the General Agreement;

(m) Request by Cuba for release from certain negotiated commitments;

(n) Certain Brazilian internal taxes;

(o) Preparation of a draft agreement following a request by UNESCO for assistance and advice on the problem of reducing trade barriers on educational, scientific and cultural materials;

(p) Establishment of five Protocols embodying various modifications and rectifications to the Agreement;

(q) Changes in the Rules of Procedure to permit calling of Special Sessions;

(r) Establishment of consultation procedures for the operation of the Agreement in periods between sessions of the member countries;

(s) Programme of work for the secretariat of the Interim Commission for an International Trade Organization which serves the Contracting Parties in the absence of an organization of their own; and

(t) Administrative questions such as the 1950 Budget.

Annecy Tariff Negotiations

Canada concluded negotiations with all of the following ten countries which were applying for membership of the General Agreement: Denmark, Dominican Republic, Finland, Greece, Haiti, Italy, Sweden, Uruguay, Liberia, Nicaragua. Canada will receive, as of right, all the concessions granted by the thirty-three countries which participated in the Annecy negotiations; similarly, Canada will extend its concessions to all participating countries.

All ten "acceding" countries have now received the required two-thirds majority vote of the original Contracting Parties to permit their accession to the Agreement. Those countries are now required to sign an instrument in which the results of the Annecy negotiations were incorporated (i.e. the Annecy Protocol of Terms of Accession). It is expected that all the concessions exchanged at Annecy, on some 5,000 tariff items, will have been put into force in the early part of 1950 and in any case, not later than the first half of that year.

Programme for 1950

The present programme of meetings for 1950 is as follows:

(1) The Fourth Session of the Contracting Parties is to be held at Geneva, beginning February 23. It is expected that one of the most important problems on the agenda will be the consideration of a report to be prepared by the secretariat, in accordance with the provisions of the Agreement, on the subject of discriminatory quantitative restrictions imposed by Contracting Parties to the Agreement. The secretariat's submission will be based on reports submitted by member governments.

(2) The Fifth Session of the Contracting Parties will be held, beginning on September 28, 1950, at a place to be determined at the Fourth Session.

(3) The third set of multilateral tariff negotiations will be launched in September 1950. These negotiations will follow the pattern set at the trade conferences held at Geneva in 1947 and at Annecy in 1949. They will provide an opportunity for further tariff negotiations with the United States and countries such as France, the Benelux group, Sweden, Italy and others which participated in the Geneva and Annecy conferences. In addition, negotiations will be conducted with a number of other countries, including Western Germany, which have expressed an interest in participating with a view to becoming parties to the General Agreement.

It is generally recognized that the countries which are parties to the General Agreement have, to date, done a good deal to fulfil, even under present circumstances, the four basic functions of the Agreement. It is also generally appreciated that the Agreement is the only multilateral instrument under which current and long-term solutions to economic problems can be discussed among a large number of countries in a truly international forum and on the basis of the long-term objectives agreed to by fifty-four countries at Havana. It is to be hoped that this work will provide the foundation for tomorrow's economic policy, based on the hard-won structure of economic cooperation.

International Bank for Reconstruction and Development and the International Monetary Fund During 1949.

The purpose of the International Bank for Reconstruction and Development is to assist in the reconstruction and development of the economies of member countries by facilitating the international movement of capital. The purpose of the International Monetary Fund is to encourage the balanced growth of international trade on a non-discriminatory multilateral basis insofar as that may be possible by international cooperation in the fiscal and monetary sphere. During 1949, both institutions took important decisions and initiated important actions but in neither case was there any fundamental change in aim, in policy, or in method.

The activity of the Fund during the year reflected the series of devaluations initiated by the reduction in the value of the pound sterling and other sterling area currencies in September, representing virtually a worldwide adjustment of all currencies against the United States dollar. The operations of the Bank were marked by a considerable extension of its lending operations in the underdeveloped areas of the world, notably in Latin America and India.

By the end of 1949, forty-eight countries were members of both Bank and Fund. The applications of Liberia and Haiti have been approved by both organizations but they have not yet accepted membership. Pakistan and Ceylon have applied for membership in both organizations.

During 1949 Canada was represented on the Board of Governors of the Fund and the Bank by Mr. D. C. Abbott as Governor, by Mr. G. F. Towers as Alternate Governor of the Fund, and by Mr. R. B. Bryce as Alternate Governor of the Bank. The Canadian Executive Director of the Fund was Mr. L. Rasminsky, and of the Bank Mr. Donald Gordon. The Alternate Canadian Director is Mr. J. F. Parkinson, who devotes his full time to the duties of the Bank and the Fund in Washington. Generally speaking, the Canadian representatives have been in agreement with the decisions made and the policies adopted by these institutions.

Operations

During 1949 the International Bank for Reconstruction and Development granted eleven loans totalling $219.1 million. These included loans to enterprises in Brazil ($75 million), Mexico—two loans ($24.1 million and $10 million), Belgium ($16 million), India—two loans ($34 million and $10 million), Colombia ($5 million), Yugoslavia ($2.7 million), Finland—two loans ($12.5 million and $2.3 million), the Netherlands ($15 million), and El Savador ($12.5 million).

Including the above, the total of loans granted by the International Bank for Reconstruction and Development since its inception amounts to $744.1 million, of which $547 million had been disbursed by November 15, 1949. Several other loans are in the course of negotiation.

During 1949, the International Monetary Fund made its resources available to six members to enable them to overcome temporary balance of payments difficulties. Such sales of exchange (all in United States dollars) involved ten transactions, amounting in all to $101.5 million. This figure can be compared with the total of transactions for the year 1948 equal to $208 million. As of December 31, 1949, the total drawings on the Fund's resources since its inception amounted to $777.3 million. Re-purchases of such exchange during the year by three member countries amounted to $3.6 million.

The decline in the past year compared with the previous year in the volume of exchange transactions of the Fund is attributable to the incidence of the European Recovery Programme. The Fund has stated that it would proceed on the assumption that the minimum needs for consumption and investment goods in the countries participating in the E.R.P. programme would be met and that such members should request the purchase of United States dollars from the Fund only in exceptional or unforeseen cases. In this way, the resources of the Fund might be maintained at a reasonable level during the E.R.P. period. In the case of the Bank, it is clear that to the extent that the urgent requirements of E.R.P. participants are met by the E.R.P. programme they will have less need to call on the resources of the Bank. However, the lending activities of the Bank in other areas are increasing.

The contribution of the International Bank and the Fund to the solution of the world's international financial problems cannot, of course, be judged solely by reference to the size of their financial operations. Both have, for example, provided the opportunity for continuous and detailed discussion of current problems by representatives of member governments. Both have also provided experts and other technical facilities for the study of trade and financial problems, and, to the extent wished by member governments, of special national problems. Services of this kind are difficult to evaluate but they can be, and appear to have been, very useful.

The Economic Environment

The general international economic environment in 1949 continued to be unfavourable to the attainment of the objectives of both the Bank and the Fund. The basic adjustments necessary for the establishment of a workable system of international trade in the post-war world have not yet been completed. There remains a striking discrepancy between the need of countries for imports and their capacity to pay for them. So long as this situation prevails it will be advantageous—in some cases even necessary—for countries to follow foreign exchange practices which are restrictive and as such are inconsistent with the Fund's long term objectives. According to the Fund's analysis, considerable success has been achieved in the immediate post-war task of restoring production and productive efficiency in the countries whose economies were devastated by the war. However, in the urgent task of establishing better trade and payments relations much is yet to be done and dependence on bilateral trade and inconvertible currencies is far greater now than before the war.

It is to be hoped that the recent devaluation of sterling and other currencies will go far to remove the disparities between prices and costs in these countries and those of the North American continent and thus enable exports to the dollar area to increase substantially. In this way, the closing of the "dollar gap" may be brought nearer and the way opened up for the removal of trade and exchange restrictions.

The lack of balance in world trade has also been an obstacle in the path of the International Bank. In respect of the promotion of private international investment, with which duty the International Bank is charged, the difficulties are particularly important. In respect of loans made out of its own resources the International Bank's problems are complicated by the strained international financial situation both because the Bank is required to lend only in cases where there is a reasonable prospect of repayment, and because the Bank's resources are in the final analysis limited by its ability to borrow in the private capital market in the United States and elsewhere. In cases of loans to underdeveloped countries, however, the Bank has found that the principal limitations on Bank financing has not been lack of money but lack of properly prepared projects ready for immediate execution.

In view of the Bank's obligation to foster economic progress in the underdeveloped areas it was vitally interested in the announcement by the President of the United States in his inaugural address on January 20, 1949, that the United States intended to adopt, as a fourth major point in its foreign policy, a new programme of assistance for the underdeveloped areas. The full implications of the "Point Four" programme are not yet clear but it is the Bank's view that such success as is achieved by that programme will assist and strengthen the Bank in carrying out its development responsibilities. The noteworthy increase in the Bank's lending operations in Latin America and India has already been mentioned.

Relations with Other International Organizations

On matters of mutual interest, the Fund and the Bank have continued to work closely together and with the various organs of the United Nations and other international organizations. The Fund has worked particularly closely with the Interim Commission of the International Trade Organization and with the Contracting Parties to the General Agreement on

Tariffs and Trade. Close cooperation between these bodies is, of course, essential, for while the Fund is concerned primarily with matters of monetary and financial policy and the ITO and Contracting Parties to GATT with matters of commercial policy, such measures are merely alternative routes to the same objective. Each is, therefore, concerned that practices frowned on at the front door be not welcomed at the back. The Bank has worked particularly closely with the United Nations in the initiation of procedures dealing with the future operation of the "Point Four" programme.

Operations and Decisions of the International Bank, 1949

The International Bank's experience in the development of backward countries has impressed upon it that such development is necessarily a gradual process. Low levels of education and health prevailing in underdeveloped countries, unstable governments, wide extremes of wealth and poverty, and limited resources of domestic capital compound to a greater or lesser extent a problem already inherently complex. An extraordinary amount of technical investigation and analysis is required before practical propositions designed to realize development potentialities can be formulated. Unless and until this spadework is well done the provision of funds in itself can accomplish little. Thus the Bank has found that the principal limitation upon Bank financing in the development field has not been lack of money but lack of well-prepared and well-planned projects ready for immediate execution.

During the past year, a substantial part of the Bank's energies has been devoted to encouraging and assisting in the analyses that are required before the provision of funds can be very useful. In this work, it has cooperated closely with a number of other agencies, both national and international. Some of the studies have been general surveys of development needs and potentialities while others have been on specific development problems. Many countries have been involved, including Egypt, India, Iran, Iraq, the Lebanon, and nearly all the countries of Central and South America. In many cases the stage has been reached where negotiations for loans for specific projects have been undertaken.

Loan Activities

During 1949, the following loans were granted:

(1) In January 1949, the Bank granted two loans totalling $34.1 million for electric power development in Mexico.

(2) In February 1949, the Bank granted a loan of $16 million to Belgium for the purpose of providing United States dollars for imports of equipment for the construction of two steel mills and a power plant in the industrial district of Liege.

(3) Two loans for projects in Chile—$13.5 million for hydro-electric development and $2.5 million for the purchase of agricultural machinery—were authorized in March 1948, and became effective April 1949.

(4) A loan was granted in January 1949, and became effective in May 1949, of $75 million to the Brazilian Traction, Light and Power Co. Ltd., a Canadian corporation, to finance most of the foreign ex-

change costs of a four to five year programme of expansion of the hydro-electric power and telephone facilities of the company's Brazilian subsidiaries.

(5) In July 1949, a loan of $15 million was made to the Finance Corporation for National Reconstruction (Herstelbank), guaranteed by the Netherlands Government, to be re-loaned to twenty-four Dutch corporations in various industries to finance imported equipment needed for the reconstruction or modernization of plants.

(6) In August 1949, $5 million was loaned to the Caja de Credito Agrario, Colombia, a semi-public development bank, to finance the importation of agricultural machinery.

(7) In August 1949, a loan of $12.5 million was made to the Bank of Finland to cover the import requirements of a programme for modernizing and improving the efficiency of the woodworking industries, and to complete an electric enterprise. Later in the year, the Bank made a two-year loan of $2.3 million to Finland to finance the purchase of timber-producing equipment, as one of a series of projects developed by several international agencies and designed to alleviate the timber shortage in Europe.

(8) A "Timber Equipment Project" loan of $2.7 million of the same type as the above was also made to Yugoslavia in August, 1949.

(9) In August 1949, a loan of $34 million was made to the Government of India to finance the purchase of railway equipment for the reconstruction and improvement of the railways. A further loan of $10 million was made in September 1949, to provide for the import of equipment needed to proceed with two large-scale land reclamation projects now being carried on as a means of expanding agricultural output.

(10) In December 1949, a loan of $12.5 million was made to the Rio Lempa Comision, El Salvador, to finance a hydro-electric power project.

By arrangements with the Canadian Government a limited amount of the Canadian funds needed for the projects in Brazil and India will be supplied by the Bank in Canadian dollars out of Canada's subscription to the Bank.

The Bank has continued to supervise closely the end use of goods financed out of the proceeds of the Bank's initial loans. The geographical distribution of total expenditures financed by the Bank up to June 30, 1949, in round numbers by groups of countries, was as follows:

Area of Expenditure	Amount (in millions of $ U.S.)
United States	$400.4
Canada	14.4
Latin America	51.4
Europe	55.3
Near East	2.5
Africa	2.2
Far East	.1
Total	$526.3

Borrowing Activities

Marketing activities during the period covered by this commentary have involved mainly preparations for future security issues rather than new offerings. In order to establish a broad and sound market in the United States for its bonds the Bank has carried on an extensive programme of information to acquaint investors with the character of and security behind its obligations, and with its general policies and operations. It has succeeded in obtaining legislative or administrative action in over forty states such that its bonds are now eligible investments for most institutional investors in the United States. Congressional authorization has been obtained for national banks in the United States to deal in the Bank's bonds and for the Bank to sell its own bonds or bonds guaranteed by it without registration with the United States Securities and Exchange Commission.

During 1948 and 1949, the Bank was able to replenish its funds by selling a total of $28 million of securities out of its loan portfolio to private investment institutions in the United States, with the Bank's guarantee. The four loans made to the Dutch shipping companies and the $16 million loan to Belgium were disposed of in this way, thereby providing a test of the market for credits guaranteed by the Bank and affording valuable experience in the technique of such offerings.

Operations and Decisions of the International Monetary Fund: 1949

Exchange Rate Policy

The most noteworthy of the Fund's activities during the year related to the consultations which took place with member governments before and during the occasion of the widespread currency devaluations of September. During September, and subsequently, the Fund approved the devaluation of the pound sterling and the currencies of the dependent overseas territories of the United Kingdom, and the currencies of some twenty other countries in Europe, North and South America, Africa, Australia and the Far East. The decision of the British Government to reduce the official value of the pound sterling from $4.03 to $2.80 in United States funds on September 18, taken after consultation and with the agreement of the Fund, set in motion a re-alignment of most of the currencies of the non-dollar world, and also Canada. These adjustments were agreed to by the Fund after it had reviewed each and every application for a change in par values, as required by the Articles of Agreement. The Canadian representatives on the Executive Board of the Fund participated in these consultations.

The devaluation of the pound sterling and the related colonial currencies made necessary the devaluations of virtually all of the currencies of the sterling area—Australia, South Africa, New Zealand, Iceland, and others (not all are members of the Fund), and it provided a suitable opportunity for the devaluation of a number of other currencies which, while not linked so closely to economic conditions in the sterling area, are nevertheless influenced by adjustments in sterling and, frequently, were themselves beset by the same kind of payments problem as the United Kingdom. Changes in par values in September 1949 were agreed to by the Fund, after consultation, for the following fourteen countries: Australia, Belgium, Canada, Denmark, Egypt, French Possessions in India, Iceland, India, Iraq, Luxembourg, the Netherlands, Norway, Union of South Africa, United Kingdom. The degree of devaluation varied from a minimum of 9 per cent in the case of Canada, to 30.5 per cent, which was the adjustment chosen in most cases.

In addition to the above changes in par values, there have been some adjustments of exchange rates or exchange systems in the case of countries having no agreed par value with the Fund. In some cases these adjustments were associated with, or made necessary because of, the changes in par values initiated on September 18, 1949.

During the year, two member countries, which had not formerly communicated a par value for their currencies to the Fund, were able to do so. In May, the Fund agreed to the adoption of the official par value for the Yugoslav dinar at 50 dinars to the United States dollar, which had been the effective rate for some time. In June, the Fund was able to agree with Mexico on a new par value for the peso at 8.65 pesos per United States dollar, replacing the initial par value of 4.8555 pesos which had been abandoned in effect by Mexico in July 1948 without agreement on a new rate.

There have also been modifications in the system of multiple rates operated by certain countries, notably in Latin America. The list of countries which have made such changes in 1949 after consultation with the Fund is given below. It should be observed that many of the changes referred to were for the purpose of reducing the exchange rate or rates most applicable to exports and imports of goods and services. Not infrequently they have involved a simplification of the exchange rate system as a step towards the unification of all multiple rates into a single unitary rate in accordance with the Fund's objectives. The changes made in the French exchange system was the most noteworthy example of this kind of adjustment. In all its contacts with members the Fund has continued to emphasize the need to do away with multiple rates of exchange as soon as practicable and the maintenance of orderly cross rates. Such reforms are necessary to ensure that exchange rates are not used by a country to foster a discriminatory and usually uneconomic emphasis on trade as between different countries or different commodities.

Changes in Exchange Rate Systems Approved During 1949

Austria—November 22, 1949. Numerous changes in and simplification of a complex multiple currency system, with a change in the official rate from 10.0 schillings to 14.40 schillings per U.S. dollar.

Chile—March 11, 1949. Approval of the continuation of a modified multiple exchange rate structure for 1949.

Colombia—January 28, 1949. Approval of changes in the effective exchange rates applicable to imports.

Ecuador—May 17, 1949. Approval of the extension of the multiple currency system provided for under an emergency law of the country.

Finland—June 30, 1949. Fund concurrence in a devaluation of the markka by 20 per cent (no par value communicated for Finland). On September 19, Finland devalued the markka again from 160 to 230 to the U.S. dollar after consultation, in line with other European devaluations.

France—Four changes in the exchange system of France were made during the year after consultation with the Fund. These related to a change in the exchange arrangements between Belgium and France and between Italy and France, a change in the franc-Canadian dollar rate for tourists, and the elimination of the existing multiple rate system achieved in September at the time of the general series of devaluations. This established a single rate for all French franc transactions with every currency, based on the "free" rate for the franc in terms of U.S. dollars.

Greece—September 19, 1949. A depreciation of the effective exchange rates in terms of dollars and pounds sterling, to be effected through adjustments in the rates for exchange certificates.

Iran—January 5, 1949. A modification and simplification of the exchange rate structure was concurred in as a step towards a unified rate.

Lebanon—January 17, 1949. The Fund was informed of but did not approve the introduction of multiple currency practices and the indirect adoption of a fluctuating rate and disparate cross rates.

Paraguay—November 7, 1949. A downward modification of existing rates and some slight simplification. At the same time the "auction" system and the compensation and mixing systems, as well as the tolerated curb market, are to be eliminated.

Uruguay—October 5, 1949. Downward adjustments in the effective rates for certain exports and imports on the understanding that consultations will continue for the purpose of unifying the rate structure.

Peru—November 15, 1949. Peru abandoned its official par value for the purpose of eliminating its multiple currency system in favour of a unified one. However, it adopted a fluctuating rate of exchange. The Peruvian exchange system is to be reconsidered in six months' time.

Exchange Restrictions

In the period under review there was no general trend toward the relaxation of exchange restrictions. Some countries did relax certain restrictions—for example, the United Kingdom extended the scope of "administrative transferability", several countries increased the amounts of foreign exchange granted to residents for tourist purposes, and exchange restrictions in connection with bank notes were relaxed in Belgium, the Netherlands, and France. But some other countries imposed new restrictions or expanded existing restrictions. The Union of South Africa is an example.

On November 5, 1948, South Africa introduced certain "Exchange Quota Regulations" which had the effect of rationing exchange for payments for goods from outside the sterling area for the twelve months ending June 30, 1949. After consideration of the South African action the Fund ruled that South Africa should have obtained the consent of the Fund before introducing the regulations but that having regard to all the circumstances of the case the action should be approved.

Gold Policy

During the past year the Fund reviewed and decided to maintain the policy concerning external transactions in gold at premium prices communicated to its members in June 1947. In brief, the policy is to eliminate such transactions on the grounds that they undermine exchange stability and divert gold into private hoards at the expense of central monetary reserves. At the same time the Fund does not wish to interfere with the *bona fide* use of gold in the industries, professions, and arts. Unfortunately, the line between these uses, which are considered legitimate, and hoarding, which is considered illegitimate, is not easy to draw.

At the suggestion of the South African representatives made at the Board of Governors' meeting in September, the Fund Board of Directors was instructed to re-examine its policy with respect to such sales of gold and all other relevant matters. This review is now being made.

In line with the Fund's policy, the Government of the United Kingdom has taken steps to eliminate the free market in gold in Hong Kong, and the Government of Belgium has revised a plan that it had to establish a free gold market in Belgium.

The Fund has continued to regard subsidies on gold production in the form of a uniform amount per ounce for all or part of the gold produced as inconsistent with exchange stability. It remains prepared to consider on its merits any proposals for a subsidy in any other form. It agreed to a Canadian proposal that the gold subsidy programme introduced by the Government of Canada in December 1947 be amended in such a way as to permit assistance to mines producing at levels substantially below that of the base year chosen under the December 1947 plan. The Fund objected to the form of a gold subsidy introduced in 1948 in Southern Rhodesia whereupon the Southern Rhodesian Government undertook to modify its legislation so as to conform with the Fund's policy.

Use of the Fund's Resources

The following is a tabulation of the drawings on the Fund (exchange of national currency for United States dollars in every case, for temporary purposes) made by members during 1949.

Date of Drawing	Member Country	Amount in $ million
Feb. 1	India	US $ 12.09
Feb. 7	India	US $ 12.09
Mar. 8	India	US $ 7.50
April 5	Brazil	US $ 15.00
April 6	Egypt	US $ 3.00
Sept. 27	Yugoslavia	US $ 3.00
Oct. 19	Ethiopia	US $ .30
Oct. 24	Australia	US $ 20.00
Oct. 28	Yugoslavia	US $ 6.00
Nov. 18	Brazil	US $ 22.50
	Total	US $101.48

By comparison, total drawings on the Fund in 1948 amounted approximately to $208 million. Total drawings since the commencement of operations in 1947 amount to $777 million. In accordance with the automatic re-purchase obligations which operate when the specified monetary reserves of a member show an increase, Belgium, Costa Rica and Nicaragua have re-purchased part of their currencies originally sold to the Fund to the amount of $3.57 million.

Fund Missions

In closing this review of the Fund's activities, it should be mentioned that perhaps the most effective work of the Fund, like that of the Bank, consists in the exchange of advice and information which takes place as part of the routine of continuous consultation on matters of common concern. For the most part, this is of a confidential and, therefore, unpublicized character. Representatives of the Fund have visited about thirty of the forty-eight member countries during the year to discuss with the appropriate authorities their current and anticipated problems, supplementing in this way the more or less continuous consultation which takes place on the Executive Board. Information on developments is exchanged and reviewed so as to anticipate events, or to shape events. In this way, the Fund is able to bring its experience, and not infrequently, its influence, to bear on a country with respect to needed reforms in fiscal, monetary and exchange policy, so as to make certain that full consideration is given to the joint interests of all other members, as well as to those of the country concerned.

International Civil Aviation Organization

During 1949 the International Civil Aviation Organization maintained its reputation as one of the most active of the specialized agencies associated with the United Nations. By the end of 1949 fifty-five states, by virtue of ratifying or acceding to the Convention, were considered as full members.

The purpose of ICAO is to promote the development of international civil aviation; more specifically, to establish regulations for the international observance of the Five Freedoms of the air; and to create and maintain a system of international air transport wherein certain basic principles are mutually observed by all states adhering to the Organization.

At ICAO's headquarters in Montreal the twenty-one member Permanent Council of ICAO, of which Canada is a member, continued to carry out a number of important studies in the legal, air transport, and air navigation fields. A special Air Navigation Commission, made up of twelve permanent appointees, was set up to assist the Council in its work within that field. A Canadian, Mr. Stuart Graham, was appointed to this permanent Commission, while Brigadier C. S. Booth continued to act as the Canadian member of the Organization's Permanent Council.

One of the most important functions of ICAO is the drawing up of annexes or recommended sets of rules to govern the various technical fields relating to international civil aviation. During 1949 the Organization adopted an Annex on the Facilitation of Air Transport, designed to reduce and standardize border crossing procedures, and a number of other technical Annexes. The fullest value of these Annexes is dependent upon their adoption as part of the national regulations of member states.

The 1949 General Assembly of the Organization was held in Montreal in June, and confined itself to the consideration of administrative and budgetary questions. In an effort to streamline its activities, a number of reductions were made in the budget for the year 1950.

In May 1949, ICAO sponsored in London, England, a series of conferences concerned mainly with problems arising out of the joint participation by various states in programmes for the provision and upkeep of navigational facilities. One of these conferences revised the North Atlantic Ocean Stations Agreement signed in 1946, which provides for a network of ocean weather stations to assist North Atlantic aviation operations. Canada's contribution to this programme is one ship which, in cooperation with United States ships, maintains one of the important stations.

In addition, a similar conference drew up a programme designed to assist the Danish Government in maintaining essential air navigation facilities in Greenland and the Faroe Islands. Canada signed the Final Act which resulted from this latter conference, although a reservation regarding the financial implications was registered in view of the extensive network of facilities designed to assist North Atlantic flying which Canada maintains independently along her own coastline.

International Labour Organization*

Thirty years ago—in October 1919—the first General Conference of the International Labour Organization was held in Washington, D.C. Since that time the ILO has secured and maintained a foremost place among international agencies and has made a substantial contribution towards the promotion of universal social justice by formulating international standards relating to labour and social conditions and by supervising the application of these standards by member states throughout the world. At its inception, the ILO was an autonomous organization associated with the League of Nations, its original members being the members of the League and its constitution forming part of the Treaty of Versailles. The Organization's development during the years preceding the Second World War was steady, and it is a tribute to its stability that it was the only League organ which survived intact to take its place as a specialized agency of the United Nations.

There are at present sixty states which belong to the ILO, and all countries of industrial importance, with the exception of the Soviet Union, take an active part in the Organization's work. The permanent headquarters of the ILO is in Geneva, and the Director-General of the Organization is Mr. David Morse, former United States Assistant Secretary of Labour.

Among the specialized agencies the ILO has a unique structure, which provides for the participation of the representatives of governments, workers, and employers. The General Conference, which meets at least annually, is the Organization's highest authority. It is composed of national delegations comprising two government representatives and one member each representing management and labour, together with their advisers. Its principal function is to establish international social standards in the form of international labour conventions, recommendations, and resolutions. The Governing Body comprises the representatives of sixteen governments, elected at three-year intervals by the Conference. Among its functions are the fixing of the Conference agenda, the appointment of the Director-

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*For detailed information concerning the ILO, reference should be made to the Annual Reports of the Department of Labour for 1948 and 1949 and to the monthly Labour Gazette (issued by the Department of Labour).

General of the International Labour Office, the general supervision of the work of the Office and of the various committees and commissions which supplement the principal organs of the Organization, and the drafting of proposals for the Organization's budget. The International Labour Office provides the secretariat of the General Conference. It prepares documents on the items of the agenda of the Conference, collects and distributes information on social and economic questions, assists governments in the drafting of laws and regulations, conducts such special investigations as may be ordered by the Conference or the Governing Body, and provides machinery to assist in ensuring the effective application of Conventions.

Purposes and Activities

The aims and purposes of the ILO were re-defined in a Declaration adopted in 1944 at the 26th International Labour Conference in Philadelphia. During the next two years, at meetings in Paris and Montreal, the Conference amended the ILO Constitution and approved an agreement bringing the Organization into formal relationship with the United Nations. The amended Constitution reaffirms the fundamental principles upon which the Organization is based, i.e. that labour is not a commodity; freedom of expression and association are essential to sustained progress; poverty anywhere constitutes a danger to prosperity everywhere; and concerted international effort by the representatives of workers, employers, and governments is necessary for the promotion of the common welfare. With these principles in mind, the ILO has undertaken the task of building a world labour code based on the conventions and recommendations adopted at the annual conferences of the Organization. To date, ninety-eight of these conventions and ninety recommendations covering wages, hours of work, employment of women and children, medical fitness for employment, night work, etc., have been adopted by the ILO, and a large number have found their way to the statute books of member states. Apart from the direct results which have followed from acceptance by national governments of these measures, the ILO through its activities has exercised considerable indirect influence on comparative standards of labour even in countries where international labour conventions have not been formally ratified.

Departing somewhat from its sole concern with general international labour problems, the ILO during the past few years has set up a series of industrial committees to deal with problems on an industry-by-industry basis. While these industrial committees have only advisory power, they nevertheless exercise great influence in the drafting of conventions and resolutions on various labour problems.

Since the war the ILO has laid considerable emphasis on its field operations, having assisted several governments by making an investigation of their conditions, and recommending on their social and labour administration programmes. Its field work is now at the point of further expansion to include participation in the programme of assistance to underdeveloped countries.

Thirty-Second Session—1949

The prospective United Nations Programme of Technical Assistance to underdeveloped countries was among the more important subjects considered by the 1949 Session of the ILO (its Thirty-Second) which met in Geneva from June 8 to July 2, 1949. Because the programme had not gone beyond the planning stage, the Conference was unable to do more than take preliminary decisions. It agreed, however, that the ILO's first contribution might well be in the field of employment, training, and migration. "The shortage of skilled labour and of trained manpower of all kinds, the lack of reliable information on labour and skill requirements and the absence or inadequacy of machinery for bringing persons and jobs together are major impediments to the economic development of under-developed areas," the Conference stated in its report on the matter, adding that "a high priority should therefore be given to assistance in this field." The Conference expressed the view further that "the improvement of labour standards, including the enforcement of labour legislation and the framing and application of suitable wage policies designed to ensure improved levels of consumption, is essential and will require attention from the early stages of the programme". The Conference finally adopted a resolution authorizing the Governing Body of the ILO to make any appropriate interim arrangements to permit the ILO to participate in the programme as soon as details are complete.

Other important results of the Thirty-Second Conference were the adoption of three new international labour conventions and the revision of five others. The three new conventions relate to the right to organize and bargain collectively, protection of workers' wages, and the insertion of fair labour clauses in government contracts.

Among the revised conventions approved by the Conference was one establishing international minimum standards for the protection of persons who migrate from one country to take employment in another. This convention also came up for discussion later in the year in the General Assembly of the United Nations when the Polish Delegation submitted a draft resolution recommending measures to be applied by member states of the United Nations in their treatment of immigrant workers with a view to preventing discrimination against them. The matter was referred back to the International Labour Organization by the Assembly on October 28, when a resolution* was adopted noting that the question (of the treatment of migrant labour) had been dealt with by the ILO and deciding that the Organization should continue to deal with this subject and encourage the adoption and application of the convention by its members. Other revised conventions approved by the Conference provided for the gradual abolition of, or alternatively, the regulation of, employment agencies which are operated with a view to profit; recommended vacations with pay for seafarers; and set standards for the accommodation of ships' crews.

Cooperation with the United Nations

In addition to their collaboration on the plan for technical assistance to underdeveloped countries, the ILO and the Economic and Social Council have coordinated their activities in other fields. These include proposals to set up a Fact-Finding Commission on the infringement of trade union rights; to initiate an impartial enquiry into the problem of forced labour; and to investigate the question of equal pay for equal work for men and women workers. These questions have been given preliminary examination by the two organizations and were scheduled for further study by the Governing Body of the ILO at its meeting in January 1950, in Mysore, India, and by the Economic and Social Council at its Tenth Session in New York in February 1950.

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*General Assembly Document A/1052 of October 28, 1949.

ILO and the Trade Unions

With the great growth of trade union activity in Canada and throughout the world and with the participation of labour representatives in the ILO, the Organization has become a factor that can play an increasingly important role in international affairs. This is particularly true in view of the marked post-war increase in labour's political strength in virtually every country and in view of the changing relationship of labour to the community, which is bound to be reflected in the relationships between international trade union movements and international governmental organizations like the ILO. Up to the present the ILO has remained comparatively free from political and ideological clashes. Communist-dominated governments constitute only a small minority of the ILO's membership; and among the workers' delegates to the Conference, the balance of power has also been quite decisively non-Communist.*

An important labour development of the past year, which is likely to have repercussions within the ILO, was the decision of a large number of non-Communist trade union centres to break away from the Communist-dominated World Federation of Trade Unions, and to form a new International Confederation of Free Trade Unions.** The WFTU has been recognized by the ILO and by ECOSOC on a consultative basis and its representatives are permitted to propose items for the agenda and to speak on these and other matters under regulated conditions. On the other hand, the Workers' Group at the ILO is composed largely of representatives of unions which are or will be associated with the ICFTU, and it is probable that in the near future there will be a move to recognize the new organization, and the possibility that the recognition afforded the WFTU will be called in question.

Canada and the ILO

Canada has been a member of the ILO since its inception and holds one of the eight permanent seats on its Governing Body. Out of a total ILO budget for 1949 of $5,185,539 the Canadian contribution was $244,128. During the Second World War the International Labour Office temporarily moved its working centre from Geneva to Montreal. After the War the gradual assumption by the Federal and Provincial Governments of greater responsibility for the general workings of the economic system resulted in an expansion of executive and administrative machinery for dealing with labour and industrial matters. In 1946 the Canadian Government, recognizing the increasing necessity for close international collaboration in the labour field, set up an ILO branch of the Federal Department of Labour under the direction of Mr. Paul Goulet. During 1949 the ILO, in turn, established a permanent branch office in Ottawa under the direction of Mr. V. C. Phelan.

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*While the U.S.S.R. is not a member of the ILO, most of the other major Communist countries hold membership. See Appendix 37, pp. 300-302.

**The presidents of the Canadian Congress of Labour and of the Trades and Labour Congress of Canada have taken an active part in the formation of ICFTU.

The Government of Canada is in a somewhat difficult position with respect to implementation of the provisions of ILO conventions, since most labour matters fall primarily within the jurisdiction of the Provinces. Thus, while labour conditions and legislation in this country are in fact consistent with the standards set in ILO conventions and resolutions and on a par with those in the world's most advanced industrial nations, Canada has been able to ratify only eleven ILO conventions and accept one recommendation. During the last year the first steps leading to ratification of four other conventions relating to merchant seamen were taken when the Canada Shipping Act was amended to provide for the inclusion of these measures.

Inter-governmental Maritime Consultative Organization

The proposed Inter-governmental Maritime Consultative Organization (IMCO), which was designed to serve as an instrument for cooperation among governments on international shipping problems, did not come into operation during 1949 because the required number of governments had not ratified the Convention. Before this Organization can come into existence, the Convention setting it up must be ratified by at least twenty-one nations, of which seven shall each have a total tonnage of not less than one million gross tons. Canada was the first country to ratify the Convention, on September 30, 1948; during 1949 only two other countries deposited instruments of ratification or accession with the United Nations—the United Kingdom on February 14, 1949, and the Netherlands on March 31, 1949.

It is proposed that IMCO will have, when organized, an Assembly of all members, a Council of sixteen members, including a Maritime Safety Committee of fourteen members, a secretariat and such subsidiary organs as may be found necessary. Its headquarters will be in London. Normally the Assembly is to meet every two years. The Council is to meet as often as necessary and the Maritime Safety Committee at least once each year. The Council will have exceptional powers which include the power of veto in certain cases over the Assembly of IMCO. It will deal with discriminatory and restrictive practices of governments and of shipping companies. Only the operation of ships will come within its province; ship building is excluded. IMCO's functions will be purely consultative and advisory.

The Preparatory Committee, which was set up as an interim body until IMCO came into effect did not meet during 1949. At its last meeting on November 30, 1948, with the Canadian Representative in the chair, the Preparatory Committee drafted a budget for IMCO and prepared an agenda for the first meeting of the Assembly. This first session of the Assembly of IMCO is to be convened within three months from the day the Convention comes into force. Under present arrangements the Preparatory Committee will meet again immediately before the first meeting of the Assembly.

International Refugee Organization

The International Refugee Organization, which was set up provisionally in July 1947 and recognized as a fully constituted specialized agency of the United Nations in November 1948, has as its primary responsibility the repatriation or resettlement of refugees and displaced persons. Since the objective of the IRO has been to re-establish the persons under its care either in their countries of origin or in other countries willing to receive them, the Organization was regarded from the beginning as a temporary one whose existence would terminate with the successful completion of its programme of repatriation and resettlement.

Although some thirty members of the United Nations signed the Charter of the IRO, only eighteen governments ratified it, and those countries alone have carried the full burden of the Organization's work. Canada was one of the first states to ratify the Charter and has given the IRO its active support and cooperation from the outset. Up to December 31, 1949, 77,703 displaced persons had been admitted to Canada under the auspices of the IRO, and the yearly Canadian contribution to the Organization's budget has been just under $5.5 million.

The original mandate of the IRO is due to expire on June 30, 1950, but at a recent session of the Organization's General Council, it was estimated that a total of approximately 292,000 persons would remain unsettled by that date. The Council decided, therefore, that the member governments should be asked to approve the continuation of the mandate for another six to nine months. Every effort will be made during this additional period to reduce the number of "hard core" cases—that is, those persons who for various reasons are not normally admissible into the receiving countries and are consequently difficult to resettle. Special representatives have already been sent out by the Director-General to explore every possible opening for settlement, and it is hoped that a substantial reduction of the "hard core" will be made by the time the IRO terminates its mandate. In spite of all efforts, however, there are likely to remain numbers of handicapped persons who cannot be resettled or satisfactorily established in their countries of residence (most of them are in Germany or Austria).

Apart from physical assistance in the way of repatriation and resettlement, and care and maintenance while awaiting re-establishment, refugees are frequently in need of legal protection because of their inability to obtain such services from a national authority. Some form of international protection for refugees and stateless persons has been in existence since the early years of the League of Nations and the problem has been under consideration by the United Nations since March 1948. The expected termination of the IRO makes it essential for steps to be taken to provide legal protection under the United Nations for refugees and stateless persons. In recognition of this need, the Secretary-General, at the request of the Economic and Social Council, presented to the Fourth Session of the General Assembly a recommendation for the establishment of a High Commissioner's Office for Refugees.

Running through the Assembly debates was a steady stream of charges by the Communist delegations that Western countries were capitalizing on the plight of the refugees by recruiting them as a source of cheap labour, and the IRO itself was vigorously attacked as being the tool of Western imperialists. The Soviet states, alleging that the refugee problem is an artificial one created and prolonged by capitalist countries, and that the only solution is immediate repatriation of every displaced person, strongly opposed the establishment of a permanent refugee organization within the United Nations. The member countries of IRO were, of course, in favour of placing the responsibility with the United Nations. The Canadian Delegate, speaking on the item in the Third (Social) Committee, emphasized that the problem of refugees is international in scope and that the principle of universal responsibility should be recognized.*

Under the terms of the resolution approved by the Assembly, persons coming within the authority of the High Commissioner shall be for the time being refugees and displaced persons as defined in the IRO Constitution, and thereafter such persons as may be determined from time to time by the General Assembly. The primary function of the High Commissioner will be legal protection of refugees, but he will be empowered to distribute among private or official agencies any funds, public or private, which he may receive for this purpose.**

The General Assembly, on December 3, approved the resolution establishing a High Commissioner's Office for Refugees, to come into operation on January 1, 1951. In addition, the Assembly has requested the Secretary-General to prepare a detailed plan for the organization of the new office. The plan will be circulated to governments, discussed at the Eleventh Session of the Economic and Social Council in July 1950, and considered again by the General Assembly at its Fifth Session in the autumn of 1950. At that stage, the Assembly will consider ECOSOC's recommendation for a definition of the term "refugee", and will examine further the problem of material assistance for refugees.

International Telecommunications Union

The International Telecommunications Union has been governed since January 1, 1949, by the revised International Telecommunications Convention and certain related Radio Regulations, adopted on October 2, 1947, by the Atlantic City Plenipotentiary Conference. The essential aims of the Union are to organize and regulate international exchanges of telecommunications by telegraph, telephone and radio. In recent years the main emphasis has been placed on attempts to regulate more effectively the available frequency bands among the nations of the world. Seventy-five countries or territories belong to the ITU, which has the distinction of being (with the UPU) one of the only two specialized agencies at present in existence in which the U.S.S.R. has maintained its representation.

During 1949 the ITU and its various subsidiary organizations held a number of regular and special conferences in accordance with the policy which had been outlined at Atlantic City. The International Frequency Registration Board, which was established in Geneva in 1948, continued to meet during 1949 with the object of drawing up an international frequency list for member countries of the Union. Canada is a member of this Board, and technicians from the Departments of Transport and National Defence attend its meetings.

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*For the text of the Canadian statement, see Appendix 27, pp. 278-280.

**For the text of the resolution, see Appendix 28, pp. 281-283.

The ITU Convention also makes provision for an Administrative Council, consisting of representatives of eighteen member governments, whose function it is to meet and make policy decisions between plenipotentiary (or plenary) conferences (which normally meet only once every five years). Canada is at present a member of this Council, which held meetings in August and September 1949. One of the most important questions considered at these meetings was Japan's application for membership in the Union, which was approved by a majority vote within the Council. Canada voted against the acceptance of this application, which had been forwarded by the Supreme Commander of the Allied Powers, on the grounds that it should have been forwarded through the Far Eastern Commission.

Throughout the year the ITU also sponsored a number of special conferences to adjust and regulate regional and special problems arising in the field of radio and telecommunications. Canada participated in three such conferences during 1949: the International Conference on High Frequency Broadcasting; the Fourth Inter-American Radio Conference; and the Third North American Regional Broadcasting Conference. The first of these conferences was convened in Mexico City from October 1948 to April 1949 in an attempt to prepare a shortwave broadcasting assignment. The distribution of the various shortwave frequencies proved to be an extremely difficult task in view of the comparatively small number of transmitting channels available to satisfy the heavy demands of the participating nations. The situation was further complicated by the great significance now attached to shortwave broadcasting as a means of disseminating public information. Canada had a great deal at stake in the assignment of these frequencies since, in order to maintain its extensive International Service, the Canadian Broadcasting Corporation requires the independent use of a number of frequencies. The final results were inconclusive, since neither the United States nor the U.S.S.R. signed the final act of the Conference setting out the general assignment plan. However, the Conference did establish a technical planning committee to work out specific details of the assignment of shortwave frequencies. This committee, comprising representatives of fifteen states including Canada, met during the summer of 1949 in Paris. The results of its work are to be referred to a final session of the High Frequency Conference scheduled to be convened in Florence early in 1950.

The Fourth Inter-American Radio Conference, which was held jointly with a Conference of Region Two of the International Telecommunications Union (Western Hemisphere) had as its main task the implementation in the Western Hemisphere of the over-all frequency allocations made by the Atlantic City Conference. Some twenty-four nations participated. The Conference succeeded in drawing up assignment plans for standard radio broadcasting and for aeronautical broadcasting over the major air routes in the Western Hemisphere. With respect to the assignment of aviation frequencies, Canada received less than was considered to be the absolute minimum requirement to provide a reasonably satisfactory service. For this reason the Canadian Delegation agreed to the plan with a reservation in the event that Canadian frequency requirements were not fully provided for at subsequent implementation meetings. This reservation was justified on the grounds of accelerated development of northern areas, which was increasing the need for additional frequencies, and by the special nature of air route operations in Canada. The Conference also adopted a number of resolutions dealing with such matters as the exchange and re-transmission of broadcast programmes, freedom of information in radio communications, and the suppression of interference due to electrical equipment or apparatus.

During the latter part of 1949 the Third North American Regional Broadcasting Conference was held in Montreal. The deliberations of this Conference will result in a new agreement replacing the interim agreement signed in Washington in 1946 which provided for the regulations of standard broadcasting in the North American area. The successful functioning of this arrangement will ensure Canadians of good listening reception in all provinces and particularly along the areas bordering on the United States where transmissions from neighbouring stations frequently interfere with one another.

In May 1949, at a special conference in Paris, a new set of Telephone and Telegraph Communications Regulations were drawn up to replace a set of regulations originally prepared at Cairo in 1938.

United Nations Educational, Scientific and Cultural Organization

Predicated on the declaration that the defences of peace must be constructed in the minds of men, the United Nations Educational, Scientific and Cultural Organization seeks as its principal objective, to contribute to peace and security by promoting collaboration among nations in the fields of education, science and culture.

UNESCO was formally established at a meeting of forty-four member states of the United Nations held for that purpose in London in November, 1945. The First Session of UNESCO's General Conference was convened in Paris during November and December, 1946. Implementation of the programme formulated at the Conference was, however, contingent on the organization of the Secretariat and its headquarters, which was not completed until the early summer of 1947. Since that time, sessions of the annual General Conference have been held in Mexico (November 6 to December 4, 1947), Beirut (November 17 to December 11, 1948), and Paris (September 19 to October 5, 1949). The Fifth Session of the General Conference is to be held in Florence, Italy, beginning May 22, 1950.

From the beginning, the programme which the General Conference presented to Dr. Julian Huxley, the first Director-General of the Organization, was, in the Canadian view, too ambitious. It included four large-scale projects, each of which comprised many subsidiary schemes of varying complexity:

(a) Reconstruction and rehabilitation of the educational, scientific, and cultural life devastated by war;

(b) Fundamental education;

(c) Education for international understanding;

(d) Hylean-Amazon project.

In addition, the programme for 1947 called for extensive projects of a more specialized character. For the same year a budgetary appropriation of $6,950,000 (U.S.) was voted. Provision was made also for a Revolving Fund of $3,000,000 (U.S.), only $1,000,000 of which was called in immediately. Canada's share was fixed at 3.92 per cent of these amounts. Despite the plea of the Canadian Delegation that tasks of greater urgency and importance might be prejudiced "by permitting UNESCO to spread too thin its limited resources", the Mexico Conference at the end of 1947 added still more new projects to the programme. In addition to broad projects in such fields as adult education and work with universities, these included the educational problems of war-handicapped children, three educational seminars, educational missions, an educational charter for youth, study of the barriers impeding the free movement of persons, the protection of copyright, programmes in press, radio, and film to advance the aims of UNESCO, and the international book coupon scheme. At the Beirut Conference in 1948 many delegations agreed with the view expressed by the Canadian Delegation that UNESCO had during 1948 dispersed its energies and resources, which included a budgetary appropriation of $7,682,637, on too many projects. Only a limited number of new projects were studied at that Conference, which voted an appropriation of $7,780,000 for the implementation of the 1949 programme. Canada's share of this sum was fixed at 3.81 per cent.

The Programme for 1949

During the past year UNESCO's Department of Reconstruction has devoted itself to the coordination of the activities of voluntary organizations concerned with relief to child victims of war, war-devastated science laboratories, art galleries, museums and libraries. In March a second volume of the "Book of Needs", setting forth in detail the magnitude of relief requirements, was published in an edition of 10,000 copies. This Department also cooperated with and supplied the secretariat of the Executive Board of the Temporary International Committee for Educational Reconstruction (TICER) which in March indicated its willingness to extend its activities to underdeveloped countries as well as those devastated by the war. In addition, the Department administered the Emergency Relief Fund, which had been allocated to Spanish students in exile, refugees in the Middle East, and for emergency relief in China, Poland, Greece, the Philippines, Czechoslovakia, Hungary, Italy, Austria, Iran, the Netherlands, and France. The final fruition of this scheme has, however, been impeded by the difficulties in reaching agreement with the recipients as to the exact nature of the equipment they require. During 1949 a sum of $10,850 from the reconstruction fund reserve was put at the disposal of Dr. Paulo Carneiro for urgent relief work in the interests of Greek child refugees. A special effort was made, too, on behalf of refugees in the Middle East, for whose benefit a fund of $45,000 was established. As a result thirty-nine schools have been opened in Lebanon, Palestine, Syria, and Jordan under the auspices of UNESCO. Finally, UNESCO has been active in connection with international voluntary work camps and children's communities.

In Canada the main effort in reconstruction has been channelled through the Canadian Council for Reconstruction through UNESCO, a non-governmental body set up on the suggestion of the Department of External Affairs "to assist, through UNESCO and otherwise, the relief and rehabilitation of education, science and culture, at all levels, in war-devastated countries, by obtaining in Canada cash contributions, services, and gifts in kind, and the disposal of the same in accordance with the foregoing purposes". In December 1947, the Department of External Affairs placed at the Council's disposal $200,000 out of post-UNRRA relief funds. As of March 1949, the Council had also received a total of $933,226.51 as its share of a campaign carried on jointly with the Canadian Appeal for Children.

The principal activity of UNESCO with respect to education is its so-called clearing-house service for the collection, classification, and storage of information relevant to the Organization's education projects, which include the improvement of text books and teaching materials, the advancement of adult education, assistance in education for international understanding, and a survey of the educational problems of war-handicapped children. In this work the International Bureau of Education has proved to be of great assistance. The Organization also sends out advisory educational missions, at the request of the country concerned; two of these have already completed their field work in the Philippines and in Thailand. A third mission began work in Afghanistan in August 1949. Another activity of the Education Department is the holding of international seminars. One of these was held near Rio de Janeiro from July 27 to September 2 on the subject of mass illiteracy. Another seminar was conducted in India from November 2 to December 14, at which the subject of rural adult education, including problems of illiteracy and health education, was studied. A third international seminar on adult education was held in Elsinore, Denmark, from June 16 to 25. Much of the material collected at this seminar will form the basis of an international directory of adult education to be produced by UNESCO. At the same time the Education Department was occupied with projects concerning war-handicapped children, education for international understanding, improvement of textbooks, and work with universities.

In the field of natural sciences, field science cooperative offices promoted during 1949 the exchange and supply of information, material, and personnel in Shanghai, Cairo, Montevideo and New Delhi. The Organization also endeavoured to obtain support for the Institute of the Hylean-Amazon (the Final Act of which has been ratified by France and Ecuador only), the International Institute of the Arab Zone, and the International Computation Centre. Besides cooperating in the field of pure sciences with the International Council of Scientific Unions, for which a grant-in-aid was appropriated in the sum of $200,000, UNESCO has cooperated with various international bodies interested in the protection of nature and the furtherance of applied sciences. Moreover the Science Department continued to compile information on scientific abbreviations and symbols and to make an inventory of basic equipment and supplies for the teaching of science. It also published numerous articles and essays in an effort to popularize science.

Specific projects of the Department of Social Sciences include: study of the influence of technology upon international tensions; enquiry into tensions affecting international understanding; collection and dissemination of scientific facts concerning race; and publication of a work on political science methodology.

Within the compass of its cultural activities UNESCO divided its efforts during 1949 among the following sectors: philosophy and humanistic studies;

arts and letters; libraries, museums and historical monuments; and copyright. Under these headings a great deal of organizational work was undertaken to promote the interchange and the general diffusion of culture. To these ends UNESCO, *inter alia*, awarded a grant-in-aid of $20,000 to the International Theatre Institute, helped to plan the establishment of an International Music Council, studied the question of the arts in general education, completed a critical study of copyright problems, and established a cultural liaison service for the Middle East.

In the field of mass communication, UNESCO continued its activities relating to international educational interchange by associating itself with the active administration of 110 fellowships and by continuing to distribute the useful handbook on educational exchanges, "Study Abroad", which it had published in 1948. A survey of the technical needs in press, radio, and film was completed for fourteen countries, bringing the total number of countries surveyed to forty-three.

The Development of UNESCO

The above review, of necessity, merely touches upon some of the more noteworthy of the vast range of activities occupying the interests of UNESCO. Such a programme has placed a scarcely supportable burden of work on the Secretariat's staff of some 700 persons and has given rise to increasingly onerous demands on the financial resources of member states. In this connection it is significant that the contribution to UNESCO is the largest that Canada pays to any specialized agency with the exception of special-purpose organizations such as the IRO. Recognizing these facts, the Canadian Government, in its report submitted to UNESCO for 1949, stated:

"The Canadian Government considers that the programme adopted by the General Conference at its Third Session contained more projects that can be effectively carried through within the next few years; it is a concern of the Canadian Government that the programme be kept in proportion to UNESCO's budget and that emphasis should be placed on practical projects of a reasonably short-term nature. It has therefore been gratifying to note the results being achieved in the reconstruction of war-devastated countries and in underdeveloped areas. The Canadian Government commends the initiative of the Director-General in defining priorities within the programme, and his statement that UNESCO has now entered a period in which its activities must be concentrated and coordinated with those of other organizations."

At the Fourth Session, which was held in Paris in 1949, it was evident that more member states have become aware of the desirability of priority planning. The budget of $8,000,000 adopted at that session reflects the acceptance of the principle of concentration of activities, in that the allocation of funds within the budget has to a certain extent been restricted to those projects having a priority claim on the resources and efforts of the Organization. The Paris Conference was a short business session only, and the sole new project of any significance it discussed was the United Nations Expanded Programme for Technical Assistance for economic development. However, since this programme was at that time still in the planning stage, no definite plans could be drawn up.

During 1949 membership of the Organization was increased by the admission of Thailand, Switzerland, Burma, the Principality of Monaco, Israel, Pakistan, and Ceylon, bringing the total of member states to fifty-one by December 31, 1949.

The Organization's external relations have also been broadened by the admission of twelve new organizations to consultative status. Accordingly, there are eighty-two international non-governmental organizations enjoying consultative arrangements of varying kinds. Measures are being taken for the admission of eighteen more organizations to such status.

UNESCO as a specialized agency maintains close liaison with the United Nations and other specialized agencies. In addition, it has concluded formal agreements with two inter-governmental organizations: the International Bureau of Education and the International Committee on Weights and Measures. The Director-General was authorized by the Paris Conference to negotiate for a similar agreement with the Organization of American States.

In addition to the emphasis now being placed on the principle of priority planning, there are other indications that UNESCO is progressing towards maturity. One such sign was the adoption at the Fourth Session of an amendment to the Constitution which denies the vote to member states in arrears in the payment of their financial contributions. Another was the interest shown by several delegations in the pattern of UNESCO's external relations. A practical proposal submitted by the United States Delegation calling for an exhaustive report on relationships with international non-governmental organizations was approved by the Paris Conference. In spite of these hopeful signs, however, the Canadian Delegation thought that the sweeping nature of certain proposals and the scarcity of constructive criticism, prevented the Organization from concentrating on the practical aspects of its role. Accordingly, the Canadian Delegation expressed the following view:

> It is to be feared that unless there is a great degree of realism in the UNESCO programme and a further improvement in the efficiency of the organization's operation (including a very considerable reduction in overhead), it will become increasingly difficult to persuade the public of many countries, including that of Canada, that their Governments should continue to give full support to UNESCO.

The UNESCO Constitution states that "Each Member State shall make such arrangements as suit its particular condition for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the Government and such bodies." The question of the establishment of a National Comission for UNESCO in Canada is one which is being considered by the Royal Commission on National Development in the Arts, Letters and Sciences. The terms of reference of this Royal Commission include:

I. Methods by which the relations of Canada with the United Nations Educational, Scientific and Cultural Organization and with other organizations operating in this field should be concluded.

II. Relations of the Government of Canada and any of its agencies with various national voluntary bodies operating in the field with which this enquiry will be concerned.

In the meantime, the Department of External Affairs is coordinating the work of UNESCO in Canada through the various national organizations in the fields of education, science and culture.

Universal Postal Union

The Universal Postal Union, which is one of the oldest existing international organizations, celebrated the seventy-fifth anniversary of its foundation in 1949. Known originally as the General Postal Union, it changed to its present name in 1878, the year in which Canada acceded to the International Postal Convention of 1874. The Union is presently governed by the revised Universal Postal Convention adopted by the Twelfth Congress held at Paris in July 1947. The UPU became a specialized agency of the United Nations on July 1, 1948. It has the distinction of being, with the ITU, one of the two largest specialized agencies. At the end of 1949 it had ninety members including certain non-self-governing territories, and included in its membership the U.S.S.R. and the other Soviet satellites.

To achieve its objective of organizing and perfecting postal services throughout the world, the UPU has established in its Convention the basic conditions required for the international delivery of letter post. For special postal services such as parcel post, insured mail, and money orders, seven postal agreements are annexed to the Convention and can be adhered to separately by each member. Regional unions and special postal agreements are allowed to be established between members if their terms are not less favourable to the public than those provided in the Universal Postal Convention. At the end of 1949 former enemy countries were still precluded from enjoying the benefits of the Convention pending suitable authorization from a sufficient number of member governments.

The work of the UPU is carried out by three main bodies:

(i) The Universal Postal Congress, which normally meets every five years and which is composed of representatives of all members of the Union;

(ii) The Executive and Liaison Committee, which is composed of nineteen members elected by the Congress and whose main function is to ensure the continuity of the Union's work by maintaining close contact with member countries by studying technical questions relevant to the international postal service, and by establishing working relations with the various organs of the United Nations; and

(iii) The International Bureau, which forms the permanent secretariat with headquarters at Berne, Switzerland. In addition, a special Technical Committee on Transit, of which Canada is a member, was created at the last Congress.

The Executive and Liaison Committee held its 1949 session at Berne from May 16 to May 25. Among its decisions was the authorization of world distribution of two comprehensive reference maps: one covering international surface postal communication facilities and the other dealing with airmail postal service routes. Considerable time was devoted to debates on the relations of the UPU with the United Nations, in particular concerning the United Nations laissez-passer for UPU staff members and the acceptance of an Annex, concerning UPU, to the Convention on Privileges and Immunities of Specialized Agencies. These two matters were finally settled, in conformity with agreements concluded with the United Nations bodies concerned. The newly created Technical Committee on Transit met for the first time in June 1949 at Interlaken, Switzerland, and began its studies on the long-standing problem of payment for the transit of international correspondence. The Committee stated the principles which in its opinion should be the basis for a solution of this problem and worked out a report for circulation to the various postal administrations, together with a new questionnaire designed to collect information still required. The Committee will meet again in 1951 and hopes to submit definitive proposals to the next Postal Congress, which will take place in Brussels in 1952.

The International Bureau continued during 1949 its assigned work of facilitating and developing international postal services. These services have been progressively developed to include special categories of postal communication and to keep pace with the growth of international airmail services. In addition to its normal publications and research work, the Bureau is at present revising a directory of all post offices in the world, for publication in 1950.

At its ninth session held in July and August 1949, the Economic and Social Council considered a report outlining the improvement in services by which the UPU had managed to keep up with the world's increasing use of airmail. During the debates the Council commended the UPU for the success which it had achieved in its field of operation without involving the members in excessive expenditure.

Canada's contribution to the Universal Postal Union amounts to $7000 per year.

World Health Organization

Although the World Health Organization has been a fully constituted specialized agency of the United Nations for less than two years, it has already made some progress towards its main objective, "the attainment by all peoples of the highest possible level of health".* The need for international action against disease was recognized a century ago, but although this idea steadily gained ground and led to the establishment of several international health organizations, the measures taken before the Second World War remained largely defensive and limited in scope. The World Health Organization is based upon the principles that more is required than an international system of defence against communicable diseases; that it is necessary to pool valuable knowledge and techniques among nations; and that a positive attempt should be made on a world scale to apply the available resources of the health sciences.

Before the Second World War the most important international health organizations were the League of Nations Health Organization in Geneva and the Office International d'Hygiène Publique whose headquarters were in Paris. Plans for the creation of a permanent agency to carry on the work of these and other pre-war health bodies were initiated at the San Francisco Conference of the United Nations in 1945, and were discussed in detail at the First International Health Conference in New York in June and July of 1946, when WHO's constitution was adopted and an Interim Commission, composed of representatives from eighteen countries, was set up. The Interim Commission was charged with preparing for the establishment of WHO and with carrying on urgently necessary work in the international health field. Its outstanding emergency achievement was its efficient mobilization of medical resources to help check the 1947 cholera outbreak in Egypt.

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*Article 1, Constitution of the World Health Organization.

The World Health Organization came into being officially on April 7, 1948, when its constitution was ratified by twenty-six member states of the United Nations and thus entered into force. On June 24, 1948, the Organization met for the first time as a fully constituted specialized agency of the United Nations, with Dr. Brock Chisholm, former Deputy Minister of Health for Canada, as Director-General. At this First World Health Assembly it was decided that during 1948 and 1949 the Organization should focus its attention on malaria, tuberculosis, and venereal disease and begin a plan of attack on these and other infectious diseases. Work was also initiated on programmes in the fields of maternal and child health, nutrition environmental sanitation, and some aspects of public health administration and mental health.

Activities During 1949

In implementing its programmes during 1949, WHO conducted surveys to determine means and facilities for dealing with tuberculosis in Eastern Mediterranean countries and in South America, and initiated malaria-control campaigns in India, Pakistan and Iran. The fight against venereal diseases was intensified with the establishment of special commissions for the coordination of anti-V.D. measures in countries bordering the Rhine, in India, and in Haiti. During 1949, WHO also remained faithful to its important obligation of giving immediate aid in situations requiring mobilization of international means on behalf of stricken populations. Medical services for Arab refugees in the Eastern Mediterranean were organized by WHO to coordinate the efforts of voluntary agencies in that field; assistance in supplies and expert advice was given to Afghanistan to help control a typhus outbreak; "iron lungs" were sent to Bombay as soon as news reached Geneva of a poliomyelitis emergency there; and aid was given to the victims of an earthquake in Ecuador. The Organization's activities in providing technical services in 1949 were marked by the inauguration of daily health broadcasts from Geneva, the preparation of a first edition of an "International Pharmacopoeia" and the establishment of new standards for biological substances.

The year 1949 was primarily a period of transition from the stage of organization to that in which WHO's extensive programmes were launched. The growth in the scale of the Organization's activities brought with it the administrative problems common to all the specialized agencies and, in addition, problems peculiar to WHO which were somewhat aggravated by a tendency of the Organization to expand the scope of its programmes too rapidly and to venture into fields already occupied by other specialized agencies. In this connection, Canadian representatives at meetings of WHO have stressed the need for emphasis on those projects likely to bring the greatest returns for the expenditure involved, and for the coordination of these projects with those of other international bodies having related responsibilities. Canadian delegations have also been reluctant to support the rapid decentralization of WHO's activities by the establishment of regional organizations. It has been the Canadian view that areas and headquarters of these regional groups should not be determined too hastily and that WHO should not, at this stage of its existence, dissipate its meagre resources on an elaborate regional structure. Canada has a special interest in the working agreement approved at the Second World Health Assembly by which the Pan American Sanitary Organization acts, in some respects, as Western Hemisphere Regional Office of WHO, and Canadian delegations have expressed the hope that the Pan American group will eventually be completely integrated into WHO.

Future Programme of WHO

Plans for 1950 were drawn up at the Second World Health Assembly which met in Rome during June and July last and decided that, besides continuing and developing existing projects, the Organization would translate into action in 1950 the recommendations agreed upon in 1949, regarding work in maternal and child care, mental health, and nutrition. Furthermore, the Assembly pledged the support of WHO to the U.N. plan for technical assistance to underdeveloped countries and, as one contribution to this scheme, will give the first practical application to the concept of "Health Demonstration Areas" to aid backward areas in developing national or local health services. The 1950 programme is to be carried out under a regular budget of $7,000,000, an increase of forty per cent over the budget for the preceding year; in addition, the Organization hopes to implement a supplementary programme, based on voluntary contributions, which would cost $10,000,000. The Canadian contribution to the regular budget is set at $238,000 (U.S.).

Together with its increase in activity, there has been an increase in membership. At the end of 1949, the Organization had sixty-eight members, one of the largest memberships of any of the specialized agencies, with twelve more than at the beginning of the year*. Regional organizations have been established in South-East Asia and in the Eastern Mediterranean area and, as indicated above, a working agreement has been negotiated with the Pan American Sanitary Organization.

The withdrawal of the Communist states was a blow to the hope that the Organization would remain among the very few U.N. agencies in which the Communist states were prepared to cooperate. The reasons given for these withdrawals were that the activities of the Organization and its methods and policies were inadequate and inefficient in relation to the tasks entrusted to it at its inception. The Canadian attitude on this question is that WHO has certainly not been entirely free of inefficiency but that the various Communist states concerned have failed to give the Organization a chance to demonstrate its usefulness, and would appear to have shown a degree of irresponsibility in withdrawing within so short a time after the Organization came into being.

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*But see Appendix 37, pp. 300-302, for recent changes.

World Meteorological Organization

Twenty-three governments have ratified or acceded to the Convention of the World Meteorological Organization, which was signed in Washington, D.C., on October 11, 1947, by thirty-one governments, including Canada, and which is intended to bring into being a new specialized agency of the United Nations. A total of thirty ratifications is required before WMO can be established as a world-wide intergovernmental agency succeeding the International Meteorological Organization, which has been active in the field of weather reporting services since 1878. A resolution to authorize Canada's ratification of the Convention is expected to come before the 1950 session of Parliament. Dr. Andrew Thompson, C.M.G., Head of the Canadian Meteorological Service, is one of the Directors of IMO and is thus among those responsible for working out the details of the implementation of the new Convention.

The WMO will differ from the IMO in that it will be an organization on which states and territories with independent meteorological services will be represented, rather than one which consists solely of the Directors of such services. Pending the formal establishment of WMO a continuity of international collaboration among the various meteorological services is being ensured by the continued functioning of the IMO. The principal purposes of WMO, like that of its predecessor, will be in essence to facilitate cooperation among the various meteorological services; to promote the establishment and maintenance of systems for the rapid exchange of weather information; to promote standardization of meteorological observations and to ensure the uniform publication of observations and statistics; to further the application of meteorology in such fields as aviation, shipping and agriculture; and to encourage and assist in coordinating the international aspects of research and training in meteorology.

During 1949 there was continued consultation between representatives of the IMO, on the one hand, and of the United Nations and the interested specialized agencies, on the other, regarding the allocation of functions and responsibilities between WMO and agencies operating in related fields of activity, such as ICAO, IMCO and ITU. The progress towards setting up WMO in its final form was considerable, particularly with respect to the draft agreement outlining the future relationships between WMO and the U.N. For all practical purposes, and pending the deposit of the requisite number of ratifications, IMO is now fulfilling most of the functions which WMO will eventually assume.

VI

THE QUESTION OF DEPENDENT TERRITORIES

Report of the Trusteeship Council

The principal objectives of the trusteeship system, as set forth in Article 76 of the Charter, are "to further international peace and security" and to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories and their progressive development towards self-government or independence. In order to fulfil these objectives, the Trusteeship Council is empowered to elicit information through the medium of questionnaires on the Trust Territories concerned; to examine and comment upon annual reports submitted by the administering authorities based on these questionnaires; to hear oral as well as written petitions; to examine written representations from the local populations; and to send visiting missions to the Trust Territories to investigate conditions at first hand. In addition, the Council has, on occasion, accepted special assignments, such as the examination of reports on South-West Africa, which is outside the trusteeship system.

In accordance with Article 75 of the Charter, six states have signed trusteeship agreements—i.e. Australia (New Guinea), Belgium (Ruanda-Urundi), France (the French Cameroons and French Togoland), New Zealand (Western Samoa), the United Kingdom (the British Cameroons, British Togoland, and Tanganyika), the United States (the Strategic Trust Territory of the Pacific Islands)—specifying the terms under which each Trust Territory must be administered. All of these administering authorities are members of the Trusteeship Council which supervises the operation of the trusteeship system. The Council is completed by permanent members of the Security Council which do not administer Trust Territories (U.S.S.R. and China) and a sufficient number of other members elected to three-year terms of office to ensure that membership of the Council is equally divided between states that do and do not administer Trust Territories. Argentina and the Dominican Republic were elected and Iraq was re-elected at the Fourth Session of the General Assembly to join the Philippines in the latter classification.*

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*For the membership of the Trusteeship Council, see Appendix 39, pp. 309-310.

A substantial proportion of the Trusteeship Council's work at its Fourth and Fifth Sessions in 1949 was devoted to an examination of the annual reports submitted by the administering authorities on New Guinea, Western Samoa, Nauru, and on the respective French and British Trust Territories in Togoland and the Cameroons. At the request of the Security Council, the report of the United States on the administration of the Pacific Trust Territories was also discussed. In addition, the Trusteeship Council examined petitions to a Visiting Mission which the Council had despatched in 1948 to Ruanda-Urundi and Tanganyika. The report of this Mission was examined and discussed in detail, in conjunction with the observations of the administering authorities concerned. Plans were laid to send further Visiting Missions to the West African Trust Territories in November 1949, and to the Pacific Trust Territories in the spring of 1950.

In accordance with instructions from the General Assembly, which had singled out the subject of education for special attention, the Council also took steps at its 1949 sessions to urge the administering authorities to intensify their efforts towards educational reform in Trust Territories with particular reference to Africa. Other activities of the Council in 1949 included a brief discussion of the relationship between the Council and United Nations specialized agencies; and a consideration of the system of administrative unions between Trust Territories and neighbouring colonial areas.*

When the Report of the Trusteeship Council came before the General Assembly it was clear that many member states were not satisfied with the steps taken by the administering authorities in the Trust Territories. The Report was reasonably objective. Its observations were stated in moderate terms which revealed an appreciation of the problems confronting the administering authorities, although it criticized some of their policies. The volume and the weight of criticism was greatly magnified when the Report was discussed in the Fourth (Trusteeship) Committee and the General Assembly. In these debates the administering authorities were opposed by some states which had had no practical experience and little understanding of the administration of Trust Territories; by a considerable number of nations which had recently attained full independence and were not unnaturally anxious to see others achieve the same status; and by the Communist states, whose concern for the successful working of the trusteeship system was open to doubt. A good deal of the criticism was irresponsible, although by no means all of it should be dismissed as ill-intentioned. The administering authorities themselves at times took rigid positions which made compromise difficult.

Canada's attitude towards the Report was general acceptance of its recommendations. The Canadian Representative pointed out that sound political advancement was not possible without prior advances in education and social welfare, which were in turn dependent upon economic progress, since the effort required to improve education and social welfare must be paid for from the surplus of production. The Canadian attitude on the six resolutions arising out of the discussion of the Report was as follows:

(a) Canada voted in favour of a resolution which urged the administering authorities to hasten the political advancement of the Trust Territories and to report annually on measures adopted to grant the indigenous inhabitants a greater degree of self-government.

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*See "Administrative Unions", pp. 166-167.

This resolution was adopted after two controversial clauses, both of which had been opposed by the Canadian Delegation, had been deleted. The first of these expressed the view that the seat of administration of all Trust Territories should be located inside the territories concerned. The second clause called upon all administering authorities to furnish general plans of the ways and means by which they intend to develop the Trust Territories towards self-determination, self-government, or independence.

(b) The Canadian and Indian Delegations collaborated in the formulation of a resolution recommending that the Trusteeship Council should take such measures as it deemed appropriate with a view to facilitating and accelerating the examination and disposal of petitions from persons and organizations in the Trust Territories; and that it should direct visiting missions to Trust Territories to report fully on the steps taken towards self-government or independence. This resolution was adopted.

(c) The third resolution concerned economic advancement in the Trust Territories. In this field the Assembly supported the Trusteeship Council's recommendation for increased participation of the indigenous inhabitants in the management of and profits derived from agricultural and industrial enterprises in the Trust Territories; expressed its concern that the lack of budgetary autonomy in some cases and the scarcity of data in others did not allow the Trusteeship Council to make a thorough examination of the financial situation of certain territories; and stressed that in all economic plans and policies the interests of the local population should be paramount. Canada supported the resolution.

(d) The General Assembly also adopted a resolution on social advancement which calls for the abolition of discriminatory laws, child marriage, and corporal punishment; for measures to solve the problem of migrant labour, and for penal sanctions in case of breach of labour contract in Trust Territories. Canada abstained in the voting on the grounds that under the Canadian penal code corporal punishment may be inflicted in certain cases.

(e) The General Assembly supported a recommendation of the Trusteeship Council that additional instruction on the operation and objectives of the United Nations be given in schools and that efforts be made to improve and increase the number of educational institutions. Canada voted for this proposal.

(f) The final resolution, which originated in the Fourth Committee, recommended to the General Assembly " . . . that the flag of the United Nations be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag, if there is one". After the adoption of this resolution, which was supported by the Canadian Delegation, representatives of certain administering authorities stated that they would not comply with it because it involved illegal interference in the administration of Trust Territories.

Administrative Unions

Some of the United Nations Trust Territories are united for administrative purposes with adjacent colonies of the administering authority concerned. The degree of unification varies greatly. In some cases certain common services are shared. For example, Tanganyika shares some services with Kenya and Uganda. Some other Trust Territories are administered as integral parts of neighbouring territories. The British Cameroons and Togoland, for instance, are integrated with Nigeria and the Gold Coast. Other Trust Territories involved in administrative unions are: French Togoland and the French Cameroons (The French Union); Ruanda-Urundi (Belgian Congo); and New Guinea (Papua).

The trusteeship agreements for these territories specifically authorize customs, fiscal, or administrative unions with adjacent colonies, provided such unions conform to the purpose of the trusteeship system and to the trusteeship agreements. The fear professed by many members that these administrative arrangements would lead eventually to political extinction or annexation of the Trust Territories without consideration of the wishes or interests of the inhabitants inspired detailed discussion of the problem in 1948 and again in 1949 sessions of the Trusteeship Council and the General Assembly.

In 1948 the General Assembly asked the Trusteeship Council to undertake an investigation of customs, fiscal, and administrative unions, and to recommend such safeguards as it deemed necessary to preserve the distinct political status of Trust Territories and to enable the Council to exercise its supervisory functions. Repeated assurances by the administering authorities that their administrative arrangements would not obscure the political identity of Trust Territories and that the administrative amalgamations were within the letter and the spirit of the United Nations Charter and the trusteeship agreements failed to allay the apprehension expressed by some nations concerning the future of the Trust Territories affected. Moreover, the administering authorities had been unable, in some cases, to include in their reports on Trust Territories separate data on territories involved in administrative unions.

A resolution introduced in the Trusteeship Committee at the Fourth Session of the General Assembly asked the Assembly to recommend to the Trusteeship Council that it complete its investigation of administrative unions, paying particular attention to the following principles and criteria:

(a) the desirability of having the administering authorities inform the Trusteeship Council beforehand when they propose to create new or extend old administrative unions;

(b) that if administering authorities could not give sufficient clear, precise, separate data on Trust Territories administratively joined to adjacent colonies, they should accept such supervision over the combined administration of Trust Territory and colony as the Trusteeship Council deemed necessary to enable it to carry out its functions;

(c) the desirability of establishing a separate judicial organization in each Trust Territory;

(d) the desirability of establishing in each Trust Territory a separate legislative body with its seat within the Trust Territory; and

(e) the desirability of taking the wishes of the inhabitants into account before any administrative union could be established or extended.

Canada proposed amendments which would have tempered the resolution. These were rejected and Canada voted against the resolution on the ground that provision (b) went beyond the terms of the relevant Article of the Charter and of the trusteeship agreements.

Information from Non-Self-Governing Territories

In Article 73 of the Charter, the members of the United Nations which have responsibilities for the administration of territories "whose peoples have not yet attained a full measure of self-government" and which do not come under the trusteeship system "recognize the principle that the interests of the inhabitants of those territories are paramount and accept as a sacred trust the obligation to promote . . . the well-being of the inhabitants of those territories and . . . to ensure . . . their political, economic, social and educational advancement, their just treatment and their protection against abuses" and also "to take due account of their political aspirations . . . to assist them in the progressive development of free political institutions".

The general, or moral obligations, assumed voluntarily by the sovereign or administering nations in respect of non-self-governing territories are essentially the same as those in respect of Trust Territories, with the difference, however, that the formal, written obligation to the United Nations is limited to the regular transmission of statistical information relating to economic, social and educational conditions in the territories.

During the past three years, a procedure has been developed for the transmission of this information, and for its consideration by the General Assembly. Following the practice of former years, the Third Session of the General Assembly set up a Special Committee to examine the information submitted by the administering powers, as summarized and analyzed by the Secretariat. This Special Committee was instructed to submit a report to the General Assembly including, if desired, recommendations on procedure or of substance in functional fields (i.e. educational, social or economic), but not related to specific territories.

In 1947 and 1948, certain governments had ceased to transmit information relating to particular territories. This action was challenged by other nations, and the General Assembly, at its Third Session, passed a resolution requesting the members concerned to inform the Secretary-General of any change in the status of territories, which, in their opinion, would terminate the obligation to transmit information, and to transmit the law or executive order effecting the constitutional change.

On this question, the French Government took the position that it was exclusively within the competence of administering nations to determine when a territory ceased to be non-self-governing. The Egyptian Representative in the Special Committee rejected this view, and suggested that a new concept of international law—"international accountability"—had been created by the United Nations Charter. Under this principle the United Nations could not be deprived of its rights with respect to non-self-governing territories by the unilateral decision of the administering state that the territory was no longer non-self-governing.

An Egyptian resolution adopted by the General Assembly invited the Special Committee to examine the factors which should be taken into account in deciding when a territory ceased to be non-self-governing. This resolution also stated that it is the responsibility of the General Assembly to express its opinion on the principles which should guide members concerned in enumerating territories for which the obligation exists to transmit information.

The question of the transmission of information in the optional category relating to history, geography, government and human rights, was also debated at length. A draft resolution invited the administering nations, which had not done so, to submit such information voluntarily. This resolution exhibited the tendency, expressed in the international accountability theory, to extend the rights of the General Assembly. The sovereign nations are solely responsible for the order, good government and social progress of these territories, under the ordinary interpretation of international law as accepted by the Canadian Government, and any such interference with and weakening of this authority would be, in the Canadian view, bound to have unfortunate results. It was the policy of the Canadian Delegation to resist unreasonable extensions of the authority of the General Assembly by resolutions interpreting the Charter. For these reasons, Canada voted against both these resolutions but both were adopted by the Assembly.

Another resolution invited the administering members to take steps to establish equal treatment in educational matters for all inhabitants of the non-self-governing territories, whether they are indigenous or not, and also to furnish data on the costs and methods of financing separate groups of educational institutions. This resolution, adopted by the General Assembly, seemed unnecessary to the Canadian Delegation as it invited the administering members to do something which they were already doing. Furthermore, it was thought that this question was exclusively the responsibility of the administering members themselves.

Three resolutions, which had as a common aim cooperation by the specialized agencies of the United Nations in solving the social, economic and educational problems of non-self-governing territories, were adopted. These related to investigation of the feasibility of greater use of the mother tongue of the inhabitants in education; investigation of methods that might be used for more rapid elimination of illiteracy; and to international cooperation in advancement of social services, the solution of labour problems and economic development. The Canadian Delegation voted for all three of these resolutions and made a statement suggesting that cooperation along these lines would be the most fruitful way for the Fourth Committee and the Special Committee to use the information on non-self-governing territories.

The future of the Special Committee, constituted to examine information on non-self-governing territories, was a contentious issue. A proposal that this Committee be made a permanent body was rejected, as was a suggestion that it continue until 1950 only. The approved resolution continued the life of the Special Committee for a period of three years. Canada voted for this resolution after making it clear that, in the Canadian view, its functions should be limited to the examination of the information submitted, and that it should not be considered as having functions similar to those of the Trusteeship Council. Egypt, India, Brazil and the U.S.S.R. were elected to serve on this Special Committee for a period of three years, Mexico and the Philippines for two years and Venezuela and Sweden for one year. As administering nations Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom and the United States are also members.

A resolution sponsored by Cuba, Ecuador and Guatemala invited the Secretary-General to publish studies on special aspects of the educational, social, and economic progress achieved in non-self-governing territories. Inspired by certain suggestions during the debate, the Canadian Representative submitted an amendment which would have invited the Secretary-General to compare progress in non-self-governing territories, as appropriate, with that achieved in other countries. This seemed a reasonable way to assess progress, which in such matters is always relative; but it was soon made clear by a number of "underdeveloped" nations that they objected strongly to such comparisons. Although it received considerable support, the amendment was lost.

Two more resolutions were adopted by the General Assembly. One suggested to the Special Committee, that it give special attention in 1950 to the problems of education, without prejudice to the other two functional fields; economic and social. The Canadian Delegation abstained on this United States-Mexico resolution, although in sympathy with its principles, because such a resolution did not appear to serve any useful purpose, as a number of administering powers had indicated their intention not to collaborate in a task which the Special Committee in their opinion was not competent to undertake. Finally, Canada voted in favour of an Australian resolution requesting that the Special Committee be informed of the nature of technical assistance extended to non-self-governing territories by specialized agencies.

South-West Africa

In the course of the four years since South Africa expressed in the United Nations a desire to incorporate the territory of South-West Africa into the Union, there developed in the General Assembly two main bodies of opinion, divided chiefly on the question whether South Africa was legally obliged to conclude a trusteeship agreement with the United Nations* in respect of South-West Africa. As against the view of some twenty states that the provisions of the Charter regarding the submission of trusteeship agreements in respect of former mandated territories are obligatory, eleven

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*See also *Canada and the United Nations, 1948,* pp. 151-152 members of the United Nations, including Canada, the United Kingdom, and the United States, have regarded them as voluntary. The Canadian Representative has cited the records of the San Francisco Conference in support of this view.

South Africa has supported its wish to incorporate South-West Africa by an argument concerning the legal effects of the demise of the League of Nations and by the results of a plebiscite held in the territory by the South African Government. The South African position has been that neither the Council of the Principal Allied and Associated Powers, which had entrusted the mandate to the Union, nor the League and its Mandate Commission, any longer existed; and that there consequently remained in *de facto* possession the state which for almost twenty years had enjoyed full powers of control and administration over the territory. The mandate had expressly stated that South Africa was to have full power of administration and legislation over the territory as "an integral portion of the Union of South Africa". At the Third Session of the Assembly in November 1948, the South African Representative pointed out that nothing in the Covenant of the League empowered the League to transfer or to delegate its powers in respect of the mandated territories to any other international organization; and that at the final meeting of the League in April 1946, when the League was formally dissolved, a resolution was passed, stating that "on the termination of the League's existence its function with regard to the mandated territories will come to an end". The League resolution had also noted that certain chapters of the United Nations Charter embodied principles corresponding to those of Article 22 of the League Covenant. South Africa has accordingly taken the view that, at the time of its dissolution, the League did not make the United Nations its legatee in respect of the mandated territories but merely noted a similarity of principles. With regard to the plebiscite held by the South African Government, the General Assembly has expressed doubt whether the native population understood the issue concerning which the chiefs of the several tribes had given their opinions, namely, the future government of South-West Africa.

The South African Delegation has also added to what it described as the sincere belief of South Africa in its legal rights in this question, a statement of "practical considerations" in favour of the South African view. It has argued that the territory is quite unlike other mandated territories in that it adjoins the mandatory power and has such intimate economic and strategic links with the Union that it could not exist apart.

It will be recalled that in deference to the majority's opposition to the incorporation of the territory, South Africa had in 1946 abandoned its plan for a new province. Although the South African Government insisted at that time that it was not under an obligation to submit annual reports, it announced that it would nevertheless forward such reports to the United Nations regarding its administration of the territory. It had already announced its intention to administer the territory "in the spirit of the mandate", in spite of its conviction that compliance with the letter of the former mandate was not requisite after the dissolution of the League of Nations.

This step has led to a second point of difference in the Assembly, for, as a result of allegedly false inferences drawn from the reports, the South African Government informed the Secretary-General on July 11, 1949, that the reports would no longer be provided. The notice pointed out that the information would still be available in the usual governmental publications of South Africa. The General Assembly resolution of November 26, 1948, had regretted that South Africa had not carried out the two previous resolutions of the Assembly inviting South Africa to place South-West Africa under the trusteeship system; and had also called upon South Africa to continue to submit reports. The decision of South Africa to stop sending these reports, together with the South-West Africa Affairs (Amendment) Act of 1949 providing for closer "integration" hardened the opinion of states that had argued for the outright recognition of an obligation to submit a trusteeship agreement. It also gave cause for regret to the states which had hoped for a legal clarification of the status of South-West Africa and of the obligations of South Africa in respect of that territory. It gave rise to a second legal question i.e., whether South Africa was under a legal obligation to submit to the United Nations the reports on South-West Africa which it was obliged under the Covenant to submit to the League of Nations.

In November 1949 these questions were discussed further in the United Nations. The Trusteeship Committee of the Assembly had first to deal with the request of the Reverend Michael Scott, an Anglican missionary in South Africa, for permission to address the Committee on behalf of the Hereros, an indigenous people of South-West Africa. (A large number of the Hereros had migrated to Bechuanaland as a result of the former German administration of South-West Africa and of alleged oppression on the part of the present administering power, South Africa. Those remaining in South-West Africa had been living on reserves.) A number of delegations in committee, including the Canadian, thought that to grant a hearing to an individual would create an important and perhaps undesirable precedent. A special sub-committee, however, found the credentials of the Reverend Michael Scott to be in suitable order, though it gave no reasons for its finding, and the Committee heard his outline of the history and condition of the Hereros and his appeal for a trusteeship agreement. The South African Representative absented himself from the meeting after the Committee had decided to permit Scott to speak. The hearing may be taken to have strengthened the opposition to the policy of South Africa on this question.

The Assembly in plenary session adopted two resolutions regarding South-West Africa. The first of these expressed regret that South Africa had withdrawn its undertaking to submit reports on South-West Africa and invited South Africa to resume the submission of these reports*. The Canadian Delegation was in agreement with the resolution but abstained from voting on it, since it also reiterated the previous Assembly resolutions calling for submission of a trusteeship agreement. This latter point was, in the Canadian view, not only unrelated to the submission of reports but also redundant in the light of the second resolution.

The second resolution of the Assembly** asked the International Court of Justice for an advisory opinion concerning the international status of South-West Africa and the international obligations, if any, of South Africa in respect of the territory. The Court was asked the following questions:

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*For the text of the resolution, see Appendix 29, p. 284.

**For the text of the resolution, see Appendix 30, pp. 284-285.

(a) Does South Africa continue to have international obligations under the mandate system, and, if so, what are those obligations?

(b) Is South Africa obliged to submit a trusteeship agreement with regard to South-West Africa?

(c) Has South Africa the competence to determine and modify the international status of South-West Africa, and, if not, where does such competence rest?

Canada voted in favour of this resolution. Although the resolution as accepted seemed to the Delegation to have certain unsatisfactory features, its main purpose accorded with the Canadian view that an advisory opinion from the International Court was necessary.

An opinion from the Court that South Africa is not under a legally binding obligation to conclude a trusteeship agreement would not necessarily mean that South Africa was under no obligation whatever. While the resolutions of the Assembly have not altered the legal position, whatever it may be, a number of member states, including the United States, have held that there may exist a moral obligation to conclude a trusteeship agreement. No doubt this opinion rests in part on the general declaration in Chapter XI of the Charter that all member states responsible for the administration of territories not yet fully self-governing "recognize the principle that the interests of the inhabitants are paramount". In the resolutions of the Assembly the legal and moral aspects have so far not been kept apart but have been linked as "a legal and moral obligation".

VII

BUDGETARY AND FINANCIAL QUESTIONS

General Introduction

The Cost of the United Nations

During the four years that have elapsed since the beginning of the United Nations at San Francisco in 1945, there has been a steady growth in the scope and number of its activities. Member states, intent on making the new organization an effective instrument for international economic and social cooperation and for the maintenance of international peace and security, have readily invested it with increasingly important duties and responsibilities. These constant extensions of its field of interest, coupled with the general post-war rise in prices, have led to mounting costs of operation which were reflected in progressively higher annual budgets. Similar expansive tendencies have been noticeable in the activities and budgets of the specialized agencies.

From an initial budget of only $19.4 million in 1946, net annual outlays of the United Nations rose to $26.8 million for 1947 and $37.6 million for 1948. Incomplete returns indicated that by the end of 1949 expenditures for the year would reach $39 million.

The budget estimates for 1950, circulated to member states before the Fourth Session of the General Assembly, did not provide for any significant increase in appropriations over 1949. Despite this impression that budgetary stability had been achieved at last, the General Assembly, during the session, made decisions on important questions, such as the internationalization of Jerusalem, involving large additions to the appropriations. As a result, the budget for 1950, as finally approved, called for an increase in net expenditures to $44.5 million. In addition to this amount, which will be financed by assessments against member states, the General Assembly also decided during the session to call for voluntary contributions during 1950 for an Expanded Programme of Technical Assistance to underdeveloped countries and a $54.9 million programme for a Relief and Works Agency for Palestine Refugees in the Near East.

These contributions are exclusive of the amounts member states will be assessed to cover the administrative expenditures of the specialized agencies to which they belong. For 1950 these expenditures are expected to total more than $40 million. They also exclude the special assessment already made by the International Refugee Organization on its members to finance its $140 million operational programme for 1949-50.

For member states, many of which are not yet fully recovered from the effects of the war, this annual cost of participation in the United Nations and its agencies represents a heavy burden when added to the cost of their own national development and other domestic and foreign programmes. For those facing balance of payments difficulties, contributions requiring dollars or Swiss francs create even more serious problems. Under the circumstances, the annual discussion of financial questions has assumed growing significance among the many important matters before the United Nations General Assembly.

Financial Machinery of the United Nations

The organizational framework for dealing with administrative and budgetary matters is determined by the United Nations Charter. Under the terms of Article 97, the Secretary-General as chief administrative officer of the Organization, assumes primary responsibility for its financial administration. However, ultimate responsibility reposes in the General Assembly which, as the main representative body of the United Nations, is required (under Article 17) to "consider and approve the budget of the Organization", "apportion the expenses", "consider and approve any financial and budgetary arrangements with specialized agencies", and "examine the administrative budgets of the specialized agencies with a view to making recommendations to the agencies concerned". The Secretary-General is assisted in his task, which involves both programme formulation and the development of effective financial and administrative controls, by an Assistant Secretary-General and his staff, who form the Department of Financial and Administrative Services.

The Assembly, for its part, gives initial consideration to all financial questions in its Fifth (Administrative and Budgetary) Committee, on which all member states are represented. It is also aided by a number of expert subsidiary bodies, of which the two most important are a nine-member Advisory Committee on Administrative and Budgetary Questions, and a ten-member Committee on Contributions. The members of these two Committees are selected on a wide geographic basis as individual experts and not as representatives of any particular country. The Advisory Committee examines the budget prior to and during sessions of the Assembly and makes recommendations on all administrative and budgetary questions. The Committee on Contributions makes recommendations on the apportionment of expenses among member states. The other committees, such as the Staff Pension Committee and the Investments Committee, carry out specialized responsibilities in the fields indicated by their titles. Furthermore, a United Nations Board of Auditors, consisting of the Auditors-General (or equivalent) of three member states is responsible for detailed examination of the accounts of the Organization and for annual reports to the General Assembly.

Canadian Position

From the beginning, the Canadian Government has been keenly aware of its responsibilities to the United Nations. In financial terms this has meant an annual contribution of 3.2 per cent* of the expenses of the Organization—a share exceeded only by the five permanent members of the Security Council (China, France, U.K., U.S., U.S.S.R.) and by India. However, while giving generous financial support, Canada has never lost sight of the fact that the achievement of the Organization's important objectives is largely dependent on the effective utilization of limited resources. Therefore Canadian delegations have constantly emphasized the danger of exaggerated expansion and multiplication of activities and have stressed the necessity for efficient and economical administration.

In his speech of October 29, 1946, to the First Session of the Assembly, the Chairman of the Canadian Delegation underlined this point of view. He stated:

> The people of my country, in common with the peoples of many other countries, are bearing heavy financial burdens as the result of the war. We are all, I am sure, concerned over the mounting cost of participation in international organizations—the cost not only of direct financial contributions but also the cost of sending full delegations to their meetings. All of us are willing to bear our fair share of the necessary expenditures and all of us are ready to recognize that these expenditures are small as compared to the cost of war. On the other hand, this Assembly must be able to satisfy public opinion throughout the world that the finances of the Organization are being employed in the best interests of the United Nations. We must be assured that the Secretariat possesses the highest standards of efficiency, competence and integrity and that the budgetary and financial administration of the United Nations is beyond reproach.

This attitude has guided succeeding delegations, and was re-emphasized at the Fourth Session, when the Canadian Representative in the Fifth Committee again stated briefly:

> There seems to be general agreement on the principles which should guide us in our budgetary deliberations. All who have spoken in the debate so far have emphasized the many competing demands that are being made on the limited resources of their governments, and have stressed that current financial stringencies make it most important that the maximum of economy and efficiency should be maintained in the activities of the United Nations. With these sentiments my delegation is in complete agreement.

The Canadian Representative continued to stress this theme during discussion of individual issues before the Fifth Committee.

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*See "Scale of Assessments" pp. 186-188.

Financial Items before the General Assembly: 1949

The Fifth Committee was required to meet twice during 1949. The first meeting was held on April 5 during the second part of the Third Session of the General Assembly. There was only one important item on its agenda. This concerned proposals submitted by the Delegations of China and the U.S.S.R. for the adoption of Chinese and Russian as working languages of the General Assembly. These proposals were rejected by the Fifth Committee after lengthy and contentious debate. In this debate the Canadian Representative stated that he was opposing the adoption of two more working languages for the same reasons he had opposed the adoption of Spanish earlier. Further additions would not only be costly but would have an adverse effect on the administrative efficiency of the Secretariat and the length of sessions.

The Fifth Committee met for the second time in 1949 during the Fourth Session of the General Assembly. The most important items on its agenda were the Budget Estimates for 1950 and the Report of the Advisory Committee on these estimates. Other administrative and budgetary matters before the Fourth Session, are discussed in detail in the succeeding sections.

1950 Budget Estimates

The Fourth Session of the General Assembly approved budget appropriations for 1950 amounting to $49,641,773 (U.S.) and estimated that miscellaneous income for the same period would be $5,091,740 (U.S.)*. Net expenditures, therefore, would be $44,550,033. Since savings and adjustments totalling $2,378,450** are available out of previous years' appropriations and income, net requirements for the year are reduced to $42,181,583.

Of this amount, only $38,181,583 will be assessed against member states at the beginning of the new financial year. The remaining $4 million represents half of an amount of $8 million included in the approved budget to cover the estimated cost of implementing the Assembly's decision to internationalize Jerusalem and protect the Holy Places. Because of uncertainties surrounding this estimate, it was agreed that member states should first be required to make an interim contribution of only $4 million for the administration of Jerusalem. The remainder would be called for only if subsequent developments during the year made this necessary.

Under the United Nations scale of contributions, the Canadian share of the budget is 3.2 per cent. Therefore Canada's 1950 contribution will be $1,221,490.66 (U.S.) with a further $128,000 (U.S.) payable if the Secretary-General finds it necessary to call for the second assessment for Jerusalem.

The original budget estimates for 1950, circulated by the Secretary-General prior to the session, had contemplated expenditures totalling $44,314,398. Miscellaneous income was estimated at $5,016,525, so that the net requirements for the year would have been $39,297,873. When he submitted these estimates for the approval of the General Assembly, the Secretary-General indicated that, in general, the estimates for 1950 followed the pattern of 1949. "In preparing them", Mr. Lie stated, "I have borne constantly in mind the recommendations of the Advisory Committee that each Specialized Agency, as well as the United Nations, should make every effort to stabilize its budget at the minimum, consistent with the implementation of its Charter and the financial resources of its members, for all international activities. In certain departments I have agreed to and fully support the necessity for modest increases in staff to meet specific new workloads, but at the same time I have counted upon increased efficiency to enable us to carry other responsibilities with less staff." While stressing that the acquisition of financial experience had enabled the Secretariat to function more economically, he reiterated his conviction that the level of expenditures was to a very large extent determined by the recommendations initiated and approved by member states themselves. Furthermore, the special demands they made on the Secretariat and the decisions they made regarding the location and duration of meetings exerted an important influence on the administrative efficiency with which programmes could be carried out.

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*For details of the budget as finally approved by the General Assembly, see Appendix 32, pp. 289-292.

**These are interim figures subject to minor adjustments to allow for final accounting entries before the end of the financial year.

In its report on the Secretary-General's estimates, the Advisory Committee on Administrative and Budgetary Questions recommended reductions totalling $1,786,750, chiefly affecting the Lake Success Headquarters estimate (where a decrease of $1,225,850 was recommended). Calling attention to the general increase in the trend of administrative expenditures by the United Nations and specialized agencies, the Advisory Committee proposed a number of detailed economies and improvements. These included recommendations for (i) alterations in the administrative structure, (ii) reductions in the number of posts, (iii) regrading of staff, and (iv) economies in expenditures for travel, printing, supplies and equipment.

While indicating his willingness to accept many of the cuts recommended by the Advisory Committee, the Secretary-General contended that the proposed reduction in five of his main departments (Economic Affairs, Social Affairs, Public Information, Conference and General Services, and the Geneva Office) were excessive. He requested partial or full restoration of these cuts to enable him to carry out his responsibilities satisfactorily.

In the general debate preceding the detailed examination of the estimates, the Canadian Representative in the Fifth Committee expressed regret that the Secretary-General and the Advisory Committee had not been able to reach agreement. It seemed clear that since these highly qualified experts were unable to reconcile their differences, the task of the Fifth Committee would be exceedingly difficult. However, because the differences did exist, it would be necessary to pass judgment on them. In making these judgments, the Canadian Delegation intended to be guided primarily by the recommendations of the Advisory Committee which had provided conscientious and objective advice in the past. On the other hand it recognized that, if the Secretary-General was to carry out his responsibilities satisfactorily, he must be granted adequate funds. Accordingly, the Canadian Delegation would consider on their merits the proposed restorations called for by the Secretary-General. In this way it was hoped to achieve the maximum of economy consistent with the provision of adequate funds for all necessary activities.

In accordance with the intention expressed in these opening remarks, the Canadian Representative participated actively in the detailed examination of all proposed expenditures. Among the many issues dealt with during the course of this examination, the following seem significant by virtue of the large amounts finally appropriated or because of the decisions in principle which were involved:

(a) Political Commissions of Enquiry

A token amount of $5 million was included in the original estimates to cover the cost of political missions. This figure, which was based on past experience, was intended to give member governments a realistic picture of potential expenditures which would assist them in their over-all appraisal of the 1950 estimates. After decisions had been reached by other committees of the General Assembly on the nature and extent of the activities to be carried out by the political missions, the provisional figure disappeared and the following estimates were approved by the Fifth Committee:

United Nations Commission for Korea	$ 320,300
U.N. Special Committee on the Balkans	780,200
Repatriation of Greek Children	50,000
U.N. Commissioner and Council for Libya, the Advisory Council for Italian Somaliland, and the U.N. Commission for Eritrea	452,000
U.N. Commission for India and Pakistan	666,000
Expenses of Plebiscite Administration for Jammu and Kashmir	49,200
U.N. Commission for Indonesia	400,000
Palestine Conciliation Commission	700,000
Total	$3,417,700

(b) International Regime for Jerusalem

The Secretary-General estimated that the cost for the first year of implementation of the resolution for the internationalization of Jerusalem would be $8,150,000*. This figure, based mainly on expenditures during the final years of the Palestine Mandate, included $1,300,000 for municipal expenditures (excluding police); $5,600,000 for the Jerusalem share of expenditures of the Central Government; and $1,250,000 for a police force of 500 men.

In its report on this matter the Advisory Committee drew attention to the incomplete data on which the estimate had, necessarily, been based and the assumptions of the Secretary-General that (i) there would be co-operation of the Israeli and Jordanian authorities in providing services in the area; (ii) there would be normal security conditions; and (iii) normal municipal expenditures might be based on the year 1946 with adjustment for a 25 per cent increase in population and a 30 per cent increase in prices. In view of the uncertainties regarding both expenditure and revenue, the Advisory Committee considered that the Fifth Committee should recommend that:

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*See also "Jerusalem and the Holy Places", pp. 52-56.

(i) $8 million would be required for this purpose for 1950; and

(ii) Member states should be required to contribute only one-half of the amount immediately, assessment of the balance to be dependent upon the date and conditions for implementation of the resolution and on the availability of offsetting revenues.

In the Fifth Committee a number of delegations challenged the accuracy of the financial data used by the Secretary-General in this matter, and the realism of the assumptions on which his estimate had been based. In particular, the Israeli Delegate thought that the amount recommended was too low, while the representatives of Saudi Arabia, Lebanon, the U.S.S.R., and the Ukrainian S.S.R., thought that it was unduly high. Other delegations, including the United States, questioned whether it was realistic to assume that normal conditions would prevail in the area. After rejecting proposals by the U.S.S.R. and Poland that only $3 and $4 million, respectively, should be approved for 1950, the Fifth Committee, and later the General Assembly, adopted the recommendations of the Advisory Committee.

(c) Departments of Economic Affairs, Social Affairs, Public Information, Conference and General Services, and Geneva Office

Because of differences which existed between the Secretary-General and the Advisory Committee, the estimates of these Departments, which comprise such a large part of the budget, were subjected to the most detailed scrutiny, with the following results:

Dept.	Original Budget Estimates	Advisory Committee's Recommendations	Final Approved Estimate
Economic Affairs	$2,519,400	$2,296,400	$2,450,000
Social Affairs	1,700,000	1,534,500	1,689,500
Public Information	3,355,000	3,194,000	3,264,250
Conference & General Services	8,928,700	8,587,200	8,731,200
U.N. Office at Geneva	4,312,600	4,066,050	4,195,400

In these discussions, the Canadian Representative, though generally endorsing the recommendations of the Advisory Committee, supported full or partial restoration of amounts requested by the Secretary-General whenever convinced that the recommended cuts would seriously prejudice the effective implementation of important phases of the United Nations programme.

(d) Global Reduction on Account of Devaluation of Currencies

Between the date of preparation of the budget estimates and their consideration by the Fifth Committee, a widespread devaluation occurred in currencies other than the U.S. dollar. It was estimated that savings resulting from the expenditures to be made in devalued currencies might total $500,000. Accordingly a global reduction of $500,000 was made under a single new section of the estimates. This amount will be spread over the sections directly concerned in the light of developments during 1950. The estimates for contractual printing were also reduced by a total of $210,770, following a decision to have more printing contracts awarded in soft currency countries and to revise some of the policies governing the production and distribution of documents.

(e) Other Budgetary Decisions

Other significant budgetary decisions included:

(i) approval of estimates of $635,900 for advisory social welfare functions; $539,900 for technical assistance for economic development; $149,500 for an international centre for training and public administration, all these on the understanding that consideration would be given later to their absorption into the Expanded Programme of Technical Assistance;

(ii) approval of a substantial cut ($53,000) in the budget of the Military Staff Committee after a number of delegations, including the Canadian, had vigorously criticized the maintenance of this section of the Secretariat at its present level in view of its declining work load;

(iii) approval of increased appropriations to permit the Trusteeship Council and the Economic and Social Council each to hold one meeting during 1950 in Geneva, a number of delegations, including the Canadian, having objected to the additional cost of holding these meetings abroad;

(iv) deferment, until the Fifth Session of the General Assembly, of a decision on the question of adjusting salaries of the members of the International Court of Justice to compensate for losses resulting from the devaluation of the Netherlands florin (in which the salaries are paid);

(v) approval of payment of honoraria (not exceeding $1,500 in any one case) to the Chairman and five rapporteurs of the International Law Commission who perform special work between sessions of the Commission. At the next session of the General Assembly consideration will be given to the adequacy of the emoluments of the members of the Commission, as a part of a comprehensive study on the question of allowances paid to experts engaged in United Nations work.

As in preceding years the delegations of the U.S.S.R. and other Eastern European countries abstained in voting on the budget resolution as a whole. They explained that they had abstained because the budget included appropriations for activities such as the United Nations Special Committee on the Balkans, the United Nations Commission on Korea, the Interim Committee and the United Nations Field Service which, in their opinion, did not aid in the achievement of international peace and security and were contrary to the United Nations Charter.

Report of the Board of Auditors for 1948

The "Financial Report and Accounts for the financial year ended 31 December 1948, and Report of the Board of Auditors" gives a useful picture of the financial activities of the United Nations during 1948. It also includes a number of observations by the Auditors on certain financial and administrative practices of the Organization which appear irregular or which might be improved. The Report, and accompanying observations on it by the Advisory Committee, were examined closely in the Fifth Committee. The Chairman of the Board of Auditors,* in a personal appearance before the Committee, answered queries raised by many delegations. Most of these delegations, including the Canadian, noted that corrective action had already been taken by the Secretary-General on many of the points raised by the Auditors and expressed general satisfaction regarding the improvements already effected. The Canadian Representative also stressed the importance of several of the Board's recommendations, particularly those dealing with (a) early utilization of budget surpluses, (b) insurance practices of the organization, and (c) sales policy for United Nations publications. At the conclusion of the discussion, the Secretary-General assured the Fifth Committee that he would take into account the suggestions advanced. The Fifth Committee therefore recommended, and the General Assembly later adopted, a resolution accepting the Report and concurring in the observations of the Advisory Committee on it.

The General Assembly, on the recommendation of the Fifth Committee, also accepted a "Financial Report and Accounts for the financial year ended 31 December 1948 and Report of the Board of Auditors" on the International Children's Emergency Fund and noted the observations of the Advisory Committee on Budgetary Questions which accompanied it.

Supplementary Estimates for 1949

The General Assembly approved supplementary estimates totalling $1,057,057 to cover the following unforeseen or extraordinary commitments incurred by the Secretary-General during 1949:

Reimbursement of income taxes on salaries and allowances of United Nations personnel	$1,038,000	
Expenditures for U.N. Missions abroad (mainly U.N. Commission for India and Pakistan, Plebiscite Mission for Jammu and Kashmir, and U.N. Commission for Indonesia)	234,000	
Deficit in contributions to Staff Pension Fund	291,000	
Others	83,700	
		$1,646,700
Less offsetting savings		589,643
Total		$1,057,057

During its examination of these items, the Fifth Committee gave particular attention to the estimates for reimbursement of national income taxation, and to the expenditures for U.N. Missions abroad, which comprised such a substantial portion of the total.* Proposals by the U.S.S.R. and Poland to refuse, and by Belgium to reduce, the supplementary appropriations for reimbursement of taxation were rejected by the Fifth Committee. As savings in the original budget for 1949 are more than sufficient to cover these amounts, it will not be necessary to call for supplementary contributions from member states.

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*Mr. Watson Sellar, Auditor-General for Canada, is Chairman of the United Nations Board of Auditors. See "Appointments to Standing Committees"—Appendix 39, p. 311.

Advances from the Working Capital Fund

Since the Second Session of the General Assembly, the Secretary-General has received annual authority to make advances from the $20 million Working Capital Fund:

(a) to finance the budget pending receipt of contributions;

(b) to meet unforeseen and extraordinary expenses;

(c) to establish various revolving funds;

(d) to make loans to specialized agencies; and

(e) for other specified purposes.

This authority was again extended for 1950 by a resolution approved by the Fifth Committee and later by the General Assembly. In addition to the customary purposes for which the Fund has been utilized in the past, the Secretary-General has been specifically authorized to draw up to $5 million from it for assistance to Palestine refugees, on the understanding that these sums are to be repaid not later than December 31, 1950, from voluntary contributions made by member governments. He is also authorized to continue to withdraw sums necessary to reimburse staff members for national income taxes paid during 1950. In addition, a one-year extension was granted to the Interim Commission of the International Trade Organization for repayment of loans made to that Organization by the United Nations in 1948.

Consideration was also given by the Fifth Committee to the level at which the Working Capital Fund should be maintained. The Secretary-General had proposed that the Working Capital Fund be maintained at $20 million and the Advisory Committee had recommended the approval of that proposal as necessary for the financial soundness of the Organization. After the Fifth Committee had heard a statement on the Working Capital Fund by the Chairman of the Board of Auditors, and had considered certain suggestions for the maintenance of the Fund at a lower figure, it approved the resolution continuing the Fund for 1950 at $20 million.

Salary, Allowance, and Leave Systems

At its Third Session, the General Assembly decided that a comprehensive review of the salary, allowance, and leave systems of the United Nations should be undertaken by a Working Party of three independent experts appointed by the Secretary-General in consultation with the Advisory Committee on Administrative and Budgetary Questions. The report of the experts together with observations on it by the Secretary-General, certain specialized agencies, and the United Nations Staff Association, were submitted to the Fifth Committee during the Fourth Session of the Assembly. The Secretary-General, in submitting the report, expressed the opinion that the working party's recommendations, with certain exceptions, notably in the proposed change in the frequency and duration of home leaves, represented a well-conceived and balanced plan which, if adopted, would achieve notable improvements in administration and would be of substantial long-term benefit to the staff. He therefore announced his readiness to give effect without delay to the essential features of the plan, provided that the Assembly would amend certain provisional staff regulations and adjust the salary ceiling fixed by previous resolutions of the General Assembly.

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*For further discussion of this item, see "Tax Equalization-Staff Assessment Plan", pp. 183-184.

The Secretary-General's proposals gave rise to spirited debate in which a number of delegations contended that they could not approve changes as important as those recommended by the experts without more time to examine thoroughly all their implications. Other delegations, including the United States and Canadian, stressed that administrative improvements were long overdue and that lack of time should not be used as an excuse for inaction. In a close vote, 18 to 17, with 4 abstentions, the views of those delegations who wished to delay consideration of the report until the Fifth Session of the General Assembly prevailed. As a result the report of the experts has been referred to the Advisory Committee on Administrative and Budgetary Questions which will examine it in detail and report its recommendations to the Fifth Session of the General Assembly.

Without challenging the ruling of the Fifth Committee on this question, the French Delegation, during second reading of the budget, pointed out that the decision to delay detailed consideration of the report until the Fifth Session should not be considered as diminishing in any way the authority vested by the Charter in the Secretary-General to effect those improvements in the United Nations system of personnel administration which are consistent with the staff regulations and within the limits of existing budgetary appropriations. A French proposal to this effect, including a Canadian amendment, was adopted by the Committee. The effect of this proposal is to confirm the view of many delegations that the Secretary-General should proceed with improvements within his present powers while awaiting the recommendations of the Advisory Committee and the decisions of the General Assembly on the report of the experts.

Tax Equalization—Staff Assessment Plan

The Secretary-General informed the Fifth Committee that the United States Congress had not yet taken legislative action to grant tax exemption to U.S. nationals on the United Nations Secretariat. Therefore it was necessary to request authority to draw on the Working Capital Fund during 1950 for the purpose of reimbursing staff members for income taxes paid on salaries and allowances received from the United Nations. After receiving assurance from the United States Delegate that the executive branch of the United States Government would urge passage of appropriate legislation at the next session of Congress, the Fifth Committee decided to extend for one more year the authorization to draw on the Working Capital

Fund for tax reimbursement. A number of delegations, including particularly the U.S.S.R., Poland, and Belgium, opposed the extension both on grounds of principle and because of the large amount it added to the budget. The U.S.S.R. and Poland emphasized that the failure of the United States authorities to take action to grant tax immunity indicated an unwillingness to honour past commitments to the United Nations.

The Committee also decided:

(a) that the Secretary-General should be authorized to reimburse staff members for income taxes imposed by state or other local authorities in addition to national (federal) income taxes;

(b) that the Staff Assessment Plan will apply to the staff and Registrar of the International Court of Justice;

(c) to defer, pending further study, a decision as to whether contributions and benefits under the Joint Staff Pension Fund should be calculated on the basis of the gross or net salaries.

Joint Staff Pension Fund

Under the regulations adopted for the Joint Staff Pension scheme, the Staff Benefit Committee is required to submit annual reports on the operation of the United Nations pension scheme and on its financial position. In accordance with these regulations, a report was presented to the Fourth Session of the General Assembly giving detailed information on membership, medical standards, payment of benefits, and the financial position of the Fund. In the Fifth Committee a brief discussion was held concerning participation in the scheme by the specialized agencies and the transferability of pension rights by former officials of national governments. On the recommendation of the Fifth Committee the General Assembly took note of the report of the Staff Benefit Committee.

Administrative Tribunal

The General Assembly, at its Fourth Session, established a United Nations Administrative Tribunal to commence activities on January 1, 1950. The Tribunal is to be a quasi-judicial body "which will hear and pass judgment upon applications alleging non-observance of contracts of employment of staff members of the Secretariat of the United Nations or of the terms of appointment of such staff members". Provision is made for extension of its competence to any specialized agency by special agreement between the agency and the Secretary-General of the United Nations.

The Tribunal will act on applications submitted by staff members after they have exhausted the facilities for settlement of their differences, which are afforded by normal administrative processes and by an "internal appeals body" (on which both the Secretary-General and the staff are equally represented). Consequently it may be regarded as a court of redress, whose judgments are final and without appeal. However, in exceptional cases, where the Secretary-General considers that implementation of a decision of the Tribunal is impossible or inadvisable, the Tribunal may order payment of compensation to the applicant for injuries sustained.

While most delegations supported the principle of establishing an Administrative Tribunal as a means of guaranteeing justice to staff members, discussion of the statute (governing its operations) in the Fifth Committee required careful consideration of the complex relationships between the staff and the Secretary-General. In particular, a number of delegations emphasized the necessity for safeguarding the powers vested in the Secretary-General by the Charter, as well as the authority of the General Assembly to make necessary changes in the staff regulations, or other conditions of employment. The statute as finally drafted largely provides these safeguards, and, furthermore, it includes provision for amendments to the statute by the General Assembly if these should prove desirable. Therefore, the Canadian Delegation voted for the statute as an acceptable basis for commencement of the activities of the Tribunal. The Tribunal is composed of seven members, no two of whom may be nationals of the same state. The members are appointed for three years except for the initial period, commencing on January 1, 1950.*

United Nations Postal Administration

In a report presented to the Fourth Session, the Secretary-General informed the General Assembly of the results of preliminary enquiries and negotiations during the year with the Universal Postal Union and the United States Government in connection with a proposed U.N. Postal Administration which had been approved "in principle" by the Third Session of the General Assembly. When the report of the Secretary-General was before the Fifth Committee, the Argentine Delegate presented a resolution requesting the Secretary-General to conclude arrangements to enable the Postal Administration to begin operation at the earliest possible date.

This proposal was opposed by the Canadian and other delegations who drew attention to gaps in the information available to the Committee. In the main these delegations supported a recommendation by the Advisory Committee on Administrative and Budgetary Questions that further detailed studies should be called for so that the Fifth Committee would be in a position to render a clear judgment on all the technical and financial issues involved. In particular, the Canadian Representative stressed that it would be unwise to proceed too rapidly in the face of the important issues still unresolved.

The Fifth Committee, and later the General Assembly, approved a resolution instructing the Secretary-General to "continue the preparation of necessary arrangements" and submit a new report to the Fifth Session.

Headquarters of the United Nations

Upon the recommendation of the Fifth Committee, the Fourth Session of the General Assembly adopted a resolution taking note of a progress report from the Secretary-General on the financing, planning and construction of the permanent headquarters of the United Nations. The report stated that all phases of development of the headquarters had been discussed with the Headquarters Advisory Committee, and that the architectural and engineering plans had reached a stage of finality. While it was expected that the Secretariat Building would be completed by January 1951, the Council Chambers and the General Assembly Building would not be ready until later in that year. The building to house national delegations and specialized agencies, though provided for in the site plans, had not yet been designed, nor had its cost been included in the financial arrangements so far approved by the Assembly. When the exact requirements for this building were fully known, definite proposals would be submitted to the Assembly for its consideration.

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*For the membership of the Administrative Tribunal, see Appendix 39, p. 310.

During discussion of the Secretary-General's report in the Fifth Committee, a number of delegations expressed the hope that contracts would be placed in "soft currency" countries so that the $65 million provided for the construction and equipment of the headquarters would be used to the best advantage.

The Fifth Committee also recommended, and the General Assembly adopted, a resolution approving arrangements for the extension of the European headquarters of the United Nations, i.e. the Palais des Nations in Geneva. The extension will accommodate the headquarters of the World Health Organization, and will be largely financed by a gift of three million Swiss francs provided by the Swiss Government. Provision of funds above this amount will be the full responsibility of the World Health Organization.

Scale of Assessments*

Under its original terms of reference the Committee on Contributions, which is responsible for making recommendations to the General Assembly for the assessment of contributions of member states of the United Nations, is required to apportion expenses "broadly according to capacity to pay". In the measurement of "capacity to pay", comparative estimates of national income are considered, *prima facie*, to be the fairest guide, but other factors are to be taken into consideration, including:

(a) comparative income per head of the population;

(b) temporary dislocation of national economies arising out of the Second World War; and

(c) the ability of members to secure foreign currency.

In addition to these guiding principles, the Third Session of the General Assembly in 1948 adopted a resolution initiated by the United States Delegation, which stipulated that "in normal times" no one government should pay more than one-third of the ordinary budget of the United Nations. It also recognized (on Canadian insistence) that "in normal times" the per capita contribution of any member state should not exceed the per capita contribution of the member state bearing the highest assessment (United States).

Because of the absence of reliable current statistics, the first scale of assessments adopted by the General Assembly was based on the best available pre-war data on national incomes adjusted to take into consideration the other factors mentioned in the original terms of reference of the Committee on Contributions. Under it the United States agreed to pay 39.89 per cent of the budget, despite the fact that the United States Delegate in the General Assembly contended that "in an organization of sovereign equals no nation should pay more than one-third of the budget". The Canadian contribution was set at 3.35 per cent.*

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*A table showing percentage scales of contributions to the United Nations and certain specialized agencies, for the thirteen main contributing countries, appears at Appendix 33, p. 293.

Since that time there has been no significant modification in the scale, partly because of insufficient data at the disposal of the Committee on Contributions, but also because member states have generally pleaded an inability to accept larger shares of the budget. The United States, though stressing its belief that reductions towards the implementation of the ceiling principle were overdue, has acquiesced in continuation of the current scale because of the financial straits of most other countries.

In its report to the Fourth Session of the General Assembly, the Committee on Contributions reached the conclusion that international financial and economic conditions were still not normal, and consequently recommended that the 1949 scale of assessments be continued for 1950, except for the following reductions, made possible by the admission of Israel to membership in the United Nations:

Sweden	0.02
United States	0.10

The Committee also noted that it still had to rely largely on unofficial and incomplete statistics, and that for some countries, the data available were inconclusive as to the extent of the real improvement in their economies.

As the seventh largest contributor, Canada has from the beginning emphasized the importance of an equitable apportionment of the expenses of the United Nations. At the Fourth Session of the General Assembly, the Canadian Delegation participated actively in discussion of the Report of the Committee on Contributions.** The Canadian Representative stressed that some member states had claimed rapid recovery from war devastation and dislocation. For this reason, the assessments of these states should be adjusted so as to reflect the avowed improvement in their national economies. He also agreed that in its next annual report, the Committee on Contributions should indicate which states had not furnished adequate statistical data. While expressing the conviction that a serious attempt must be made during 1950 to correct the numerous cases of inequity apparent in the present temporary scale, the Canadian Government would, reluctantly, accept its continuance for 1950 as the best possible at this stage.

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*The Canadian rate was reduced to 3.2 per cent in 1948 as a result of the admission of certain new members.

**For the text of the Canadian statement on the "Scale of Assessments", see Appendix 31, pp. 285-288.

The scale of assessments for the United Nations finally approved by the Fifth Committee and the General Assembly is given below. Only those states whose contributions exceed one per cent are mentioned.

Scale of Assessments for 1950

	%
United States	39.79
United Kingdom	11.37
Union of Soviet Socialist Republics	6.34
China	6.00
France	6.00
India	3.25
Canada	3.20
Sweden	1.98
Australia	1.97
Argentina	1.85
Brazil	1.85
Netherlands	1.40
Belgium	1.35
Union of South Africa	1.12

Budgets of the Specialized Agencies

The cost to member governments of administering the specialized agencies in 1950* will amount to some $35 million (U.S.), to which Canada will contribute almost $1.35 million. Following is a table showing appropriations voted in six agencies for the next fiscal year, together with the Canadian percentage assessment and contribution:—

Agencies	Total Appropriations 1950	Canadian Assessment	Canadian Contribution (to nearest $1,000)
	$ (US)	%	$ (US)
Food and Agriculture Organization	5,000,000	4.50	225,000
International Civil Aviation Organization	2,810,607	4.80	135,000
International Labour Organization	5,983,526	4.08	244,000
International Refugee Organization (1949-50)	4,500,000	3.20	**144,000
United Nations Educational Scientific and Cultural Organization	8,000,000	3.74	282,000
World Health Organization	7,501,500	3.17	221,000
TOTAL	$33,795,633		$1,251,000

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*Exclusive of the International Monetary Fund and the International Bank for Reconstruction and Development, whose operations are administratively self-sustaining. See also Appendix 33, p. 293.

**It should be noted that the IRO differs from other specialized agencies in that it is a temporary organization established for a special purpose with a large operational budget in addition to its administrative costs. The total plan of operational expenditure for the fiscal year 1949/50 requires $140,932,118 (U.S.), of which the Canadian share is $5,252 117.

Definitive figures for the 1950 budgets of the International Telecommunications Union and the Universal Postal Union were not available by the end of 1949. It is expected, however, that they will add to the above appropriations approximately $1.2 million (U.S.), to which Canada will contribute some $39,000 (U.S.). Canada will also pay $2,000 to the International Meteorological Organization and $13,250 (U.S.) as its 1950 share of the administration of the General Agreement on Tariffs and Trade.

Budgetary and Financial Coordination

In accordance with Article 17(3) of the Charter as interpreted by the budgetary and financial provisions contained in the relationship agreements between the United Nations and specialized agencies, the General Assembly examines each year the budgets of the agencies and makes recommendations thereon. Although each agency has sole responsibility for final approval of its budget, the necessity for proper coordination of programmes, and financial and administrative practices of the United Nations and specialized agencies has been given constant and careful attention by the Assembly. In this way, it is hoped to avoid duplication of activities and to ensure the most efficient and economical administration without interfering with the functional autonomy of the agencies.

Past recommendations from the General Assembly have been studied by the coordination organs established under the direction of the Economic and Social Council.* As a result, substantial progress has been made towards achieving greater uniformity in the budgets of the United Nations and specialized agencies, with a view to providing a sound basis for comparison. It has been recognized, however, that further endeavours to institute a consolidated budget for the United Nations and the agencies would be purposeless because the constitutional and political prerequisites for such a budget do not exist. Likewise, the original intention of undertaking a common collection of contributions from those nations which are members of the United Nations has been virtually abandoned, owing to the administrative difficulties and high costs involved. Those conclusions are in accord with Canadian views. Among the more positive achievements, a United Nations Joint Staff Pension Scheme, designed to facilitate interchangeability of personnel within the international civil service, and a Joint System of External Audit were adopted by the General Assembly at its Third and Fourth Sessions respectively. Those common services, in which many of the specialized agencies have indicated their wish to participate, should result in real economies and greater efficiency.

Action Taken by the Fourth Session of the General Assembly

During the Fourth Session of the General Assembly in November 1949, the Fifth Committee, in joint meetings with the Second and Third Committees, examined a report on the budgets of the specialized agencies for 1950, together with observations on them by the Advisory Committee on Administrative and Budgetary Questions. The Joint Committees recommended three resolutions, all later adopted by the General Assembly, and supported by the Canadian Delegation.

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*See "Role of the Specialized Agencies in the United Nations System", pp. 124-128

The first resolution was based upon the recommendations of the Advisory Committee. The resolution:

(a) requested the organizations to give continued attention to the relative urgency and productivity of their projects and to examine methods for maximum utilization of soft currencies in order to obtain optimum results from budgetary expenditures;

(b) stressed the necessity for striving towards a balanced over-all meeting calendar as a means of facilitating programme and budgetary co-ordination;

(c) invited the Secretary-General of the United Nations and the Heads of the specialized agencies to continue studies of the organization of administrative and financial services, and to intensify their efforts towards achievement of a common form of budget presentation;

(d) urged the specialized agencies to participate in the Joint Staff Pension Scheme and in the Joint System of External Audit; and

(e) recalled the necessity for prompt payment of contributions, and requested the specialized agencies to supply the Secretary-General with adequate information concerning total assessments in 1950 budgets, so that complete data might be sent to all governments by the beginning of the new fiscal year.

The second resolution authorized the Committee on Contributions of the United Nations to recommend or advise on the scale of contributions for a specialized agency. Its purpose was to ensure closer relationship between the assessments of member states in the United Nations and specialized agencies to the extent that contributions in those organizations were based on similar principles. Advice will be given only if requested by the specialized agency.

The third resolution recommended that the specialized agencies keep their expenditures within the limits of prospective annual receipts, and that they review their programmes of expenditure periodically during the year in order to make any necessary adjustments. This recommendation was intended to prevent a recurrence of the difficult financial situation in which some of the specialized agencies have found themselves as a result of arrears in the payment of contributions.

The Fourth Session of the General Assembly also adopted, on the recommendation of the Fifth Committee, a resolution approving a set of common principles to govern audit procedures of the United Nations and specialized agencies, together with principles for the setting up of a joint panel of auditors for those organizations.

VIII

LEGAL QUESTIONS

International Court of Justice

There has been a recent and substantial increase in the amount of judicial business before the International Court of Justice. Before discussing recent developments, it may be useful to consider briefly the background and origin of the new Court.

The International Court is the principal judicial organ of the United Nations. It functions in accordance with a "Statute" appended to and forming an integral part of the Charter of the United Nations. Preparatory work on this Statute was undertaken by a committee of jurists which met in Washington in April 1945, prior to the San Francisco Conference. At San Francisco, there was considerable debate on whether the Permanent Court of International Justice established under the Covenant of the League of Nations should become the principal judicial organ of the United Nations or whether a new Court should be established for that purpose. The arguments for maintaining continuity were that the former Permanent Court had functioned well, that its contributions to international jurisprudence had been considerable, and that its traditions should be preserved. On the other hand, it was pointed out that the integration of the Permanent Court with the United Nations would in practice give rise to serious difficulties of a political as well as of a juridical character. For instance, the necessary modifications of the Permanent Court Statute could not be made without the concurrence of all parties to it, and many of these were not represented in San Francisco. Moreover, a large number of states represented at San Francisco were not parties to the 1920 Statute. While it was agreed that the creation of a new Court would also give rise to difficulties, it was thought that these could be surmounted. In particular, it was considered that the creation of a new Court would facilitate the adherence of the states which had not become parties to the Statute of the Permanent Court. Ultimately, it was decided that a new Court should be established and that its Statute should be based on that of the old Court.

The Statute provides that the Court shall be composed of a body of fifteen independent judges elected, regardless of nationality, from among persons of high legal qualifications. The Statute further provides that judges should be so chosen that the main forms of civilization and the principal legal systems of the world are represented on the Court. The election of the fifteen judges is carried on by the General Assembly and the Security Council acting independently of one another. To be elected, the candidates must obtain an absolute majority of votes in the two organs. Judges are ordinarily elected for nine years, and may be re-elected, with five retiring every three years.

The first elections to the International Court were held by the General Assembly and the Security Council on February 6 and 9, 1946. Mr. John E. Read, then Legal Adviser to the Department of External Affairs, Ottawa, was elected to the Court at that time. In order to avoid a situation in which all fifteen of the judges thus elected would finish their terms of office simultaneously, it was provided that one-third of the members of the Court should serve for three-year terms; a further one-third for six-year terms; and the remaining five judges for the full nine years. Accordingly, lots were drawn, Judge Read being among those chosen to serve for the initial three-year period. At the next elections, held in Paris on October 22, 1948, he was re-elected for the normal nine-year term.*

The Court held its first meetings, to deal with organizational matters, at its permanent headquarters in the Peace Palace at The Hague in April 1946. Further meetings, held in February and March 1947, were also devoted to matters of administration, there being no judicial business placed before the Court up to that time.

The jurisdiction of the Court rests upon the consent of states. Efforts made at San Francisco to make the Court's jurisdiction compulsory were unsuccessful, but under the Statute of the Court there is a provision, known as the "Optional Clause", under which parties to the Statute may voluntarily accept the Court's compulsory jurisdiction. Seventeen states, including Canada, whose declarations accepting compulsory jurisdiction under the Statute of the Permanent Court of International Justice were still in force in 1945, were deemed to have accepted the compulsory jurisdiction of the new Court. When Canada, in September 1929, adhered to the Optional Clause of the Permanent Court, it expressly reserved from the jurisdiction of the Court certain classes of disputes: including disputes for which some other method of peaceful settlement had been provided; disputes with any member of the British Commonwealth; and disputes the subject of which fell within the domestic jurisdiction of Canada. In December 1939 Canada also excepted from the jurisdiction of the Court "disputes arising out of events occurring during the present war". Thus, while Canada automatically agreed (on the basis of reciprocity) to submit its disputes to the International Court when it ratified the United Nations Charter, its acceptance of the Court's jurisdiction was subject to the reservations made in 1929 and 1939. Since the new Court was created, sixteen states have made declarations accepting its jurisdiction with or without reservations.

In a number of the trusteeship agreements made by administering countries, and in the constitutions of certain international organizations, clauses have been inserted providing that disputes relating to the interpretation of the agreements or constitutions should be referred to the Court. There are also similar jurisdictional clauses in a number of other international agreements.

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*For details of the present membership of the International Court, see Appendix 39, p. 310.

The Court is competent to deliver judgments in contentious cases between parties, and to give advisory opinions. Under the Charter, the General Assembly or the Security Council may request the Court to give "an advisory opinion on any legal question". Other organs and specialized agencies of the United Nations have been authorized to request advisory opinions on legal questions arising within the scope of their activities. By July 1949, four principal organs, one subsidiary organ (the Interim Committee) and nine specialized agencies, such as the International Labour Organization and the World Health Organization, had authority to request advisory opinions.

In October 1946, the Security Council adopted a resolution, in accordance with the Charter, setting forth the conditions under which states not parties to the Statute of the Court may make use of its judicial machinery. Such a state must declare that it accepts the jurisdiction of the Court and undertake to comply with its decision.

All members of the United Nations are automatically parties to the Statute of the Court. However, a state which is not a member of the United Nations may also become a party to the Statute of the Court on conditions determined by the General Assembly on the recommendation of the Security Council. Thus the General Assembly decided in December 1946 that Switzerland could become a party to the Statute, provided it accepted the provisions of the Statute, undertook to comply with the decision of the Court in any case to which it was a party, and agreed to contribute to the expenses of the Court such reasonable amount as the General Assembly should assess. In July 1948 Switzerland took the formal steps, under the terms of this resolution, to become the first state, not a member of the United Nations, to become a party to the Statute of the Court. In November 1949 the Assembly authorized the Principality of Liechtenstein to become a party to the statute on the same terms as those determined for Switzerland, a resolution to this effect having been supported by all members except the Soviet bloc.

By the end of its session in the spring of 1949, three cases had been brought before and dealt with by the Court. One of these was a case for judgment and the other two were advisory opinions requested by the General Assembly.

In accordance with the recommendation contained in a Security Council resolution of April 9, 1947, that the two governments refer the Corfu Channel dispute to the International Court, the United Kingdom made application against Albania to the Court on May 22, 1947, concerning certain damages incurred by two British warships on October 26, 1946. An additional or *ad hoc* judge was designated by Albania to participate in this case, as provided under the Statute of the Court. On April 9, 1949, the Court delivered its judgment. It declared by 11 votes to 5 that Albania was responsible under international law for the explosions which occurred on October 22, 1946, in Albanian waters, and for the damage and loss of human life which resulted from them, and that Albania was under a duty to pay compensation. The Court found the explosions were caused by a recently-laid minefield and concluded that the laying could not have been accomplished without the knowledge of Albania. The failure of Albania to issue a warning of the existence of a minefield in its territorial waters made it internationally responsible. On December 15, the Court awarded compensation of £843,947 to be paid to the United Kingdom by Albania. The Court also decided, by 14 votes to 2, that the United Kingdom did not violate Albanian sovereignty when the explosions occurred. The Court held that states in time of peace had a right of innocent passage for their warships through straits used for international navigation between two parts of the high seas. However, the Court decided unanimously that Albanian sovereignty was violated by subsequent mine-sweeping operations on November 11 and 12, 1946, which were undertaken by units of the British navy: it was held that these operations were executed contrary to the expressed wish of the Albanian Government, and thus in violation of the territorial sovereignty of Albania.

On November 17, 1947, the General Assembly requested an advisory opinion from the Court on the conditions governing the admission of a state to membership in the United Nations under Article 4 of the Charter. After receiving written statements and conducting oral proceedings, the Court gave its opinion on May 28, 1948. By 9 votes to 6 the Court expressed the opinion that a member of the United Nations which is called upon by Article 4 of the Charter to pronounce itself by its vote on the admission of a new state to membership cannot make its consent to the admission dependent on conditions not expressly provided by paragraph one of Article 4.* In particular, it held that a member cannot subject its affirmative vote to the additional condition that other states be admitted to membership together with that state. Subsequently, at its Third Session held at Paris in 1948, the Assembly recommended that the members of the Security Council act in accordance with the majority opinion of the Court. It is not evident, however, that the Soviet Union is prepared to accept and follow this opinion.**

In a resolution of December 3, 1948, the General Assembly requested an advisory opinion on the subject of reparation for injuries suffered in the service of the United Nations. On April 11, 1948, the Court announced its opinion. It held unanimously that where an agent of the United Nations, in the performance of his duties, has suffered injury in circumstances involving the responsibility of a state, the United Nations as an organization has the capacity to bring an international claim against the responsible government with a view to obtaining the reparation due in respect of the damage caused to the United Nations; and, by 11 to 4, in respect of the damage to the victim or persons entitled through him. The Secretary-General has observed that "the opinion affirms the international juridical personality of the United Nations in its relations with both Member and non-Member states, further affirms the capacity of the Organization to exercise functional protection of its agents and to bring international claims for reparations with respect to damage caused to the United Nations itself, and to the victim or persons entitled through him". At its Fourth Session, the Assembly, on December 1, 1949, authorized the Secretary-General to bring international claims against responsible governments on the basis of this advisory opinion. The resolution was adopted by a vote of 48 in favour, including Canada, and 5 against (the Soviet bloc) with one abstention. The Soviet group strongly criticized the majority opinion of the Court that the United Nations could make a claim for the damages suffered by an individual himself, and contended that this was a right exclusively reserved under international law to the state of which the person was a national.

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*Article 4 states in part: "Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

**See also "Admission of New Members", pp. 78-79.

At the end of 1949 the Court had before it three further requests for advisory opinions submitted by the General Assembly at its Fourth Session. These related to the interpretation of the clauses in the Balkan Peace Treaties setting forth the machinery for the settlement of disputes;* the status of South-West Africa under the trusteeship provisions of the Charter and as a mandated territory under the League of Nations Covenant;** and the admission of new members to the United Nations with particular reference to whether an admission could be effected by the General Assembly when the Security Council has made no recommendation for such an admission.*** The Court had also been asked for judgments on three cases referred to it directly by governments. These were: a dispute between the United Kingdom and Norway on the extent of territorial waters; a dispute between Colombia and Peru on the right of asylum; and a case between France and Egypt concerning the protection of French nationals in Egypt.

In the early stages of its existence the new Court had no work to do, and, until recently, it has not been busy. However, it is now being put to greater service by states and by organs and agencies of the United Nations. At the 1947 session of the General Assembly, on the initiative of Australia, there was a discussion on the need for making greater use of the Court. A resolution was adopted which recommended that United Nations organs and specialized agencies should review, from time to time, the "difficult and important points of law" which arise in the course of their activities, including the interpretation of the Charter and the constitutions of agencies, and request advisory opinions of the Court. This resolution was supported by Canada. At the same time, the Assembly adopted another resolution drawing to the attention of members the advantage of inserting in treaties and conventions arbitration clauses providing for the submission of disputes concerning their interpretation or application to the International Court. These resolutions are now bearing fruit.

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*See "Human Rights in Eastern Europe", pp. 43-47.

**See "South-West Africa", pp. 169-172

***See "Admission of New Members", pp. 78-79.

International Law Commission

The International Law Commission was established in 1947 as a subsidiary organ of the General Assembly to help the Assembly discharge its functions under paragraph 1(a) of Article 13 of the Charter, which, in part, provides that: the General Assembly shall initiate studies and make recommendations for the purpose of promoting international cooperation in the political field and encouraging the progressive development of international law and its codification. Its object, constitution and functions are embodied in the Statute of the International Law Commission.* The Canadian Delegation to the General Assembly expressed the view, during the debate on the establishment of the Commission, that Canada was "wholly in accord" with the purpose the Commission was to fulfil.

The expression "progressive development of international law" as contained in the Statute is taken to mean "the preparation of draft conventions on subjects which have not yet been regulated by international law or in regard to which the law has not yet been sufficiently developed in the practice of States" and the expression "codification of international law" is taken to mean, according to Article 15, "the more precise formulation and systematization of rules of international law in fields where there already has been extensive State practice, precedent and doctrine".

Article 2 of the Statute provides that the membership of the Commission shall consist of fifteen persons of "recognized competence in international law", of whom no two shall be nationals of the same state. In accordance with these provisions, the General Assembly in 1948 elected fifteen members to the Commission, representing the principal legal systems of the world.**

The Commission held its first session from April to June, 1949. Taking into consideration its functions under the Statute as well as the tasks assigned to it by resolutions of the General Assembly, it adopted an agenda of six items, the first of which concerned the codification of international law. A list of fourteen topics was provisionally selected for codification: (i) Recognition of states and governments; (ii) Succession of states and governments; (iii) Jurisdictional immunities of states and their property; (iv) Jurisdiction with regard to crimes committed outside national territory; (v) The regime of the high seas; (vi) The regime of territorial waters; (vii) Nationality, including statelessness; (viii) Treatment of aliens; (ix) The right of asylum; (x) The law of treaties; (xi) Diplomatic intercourse and immunities; (xii) Consular intercourse and immunities; (xiii) State responsibility; (xiv) Arbitral procedure. In addition three topics, the law of treaties, arbitral procedure, and the regime of the high seas, were selected for prior treatment. It was also decided to have a working paper prepared for the next session of the Commission on the right of asylum.

Divergent views were expressed as to the precise powers of the Commission with respect to the question of codification. The Soviet Member voiced the opinion that, since the Commission was a subsidiary and not an autonomous organ, it must adhere strictly to the procedure laid down

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*See *Canada at the United Nations, 1947*, p. 244.

**For the membership of the Commission, see *Canada and the United Nations, 1948*, p. 33.

in its Statute and could therefore only proceed with steps leading to codification, as envisaged by Articles 19 to 23 of the Statute, after the General Assembly had approved the choice of subjects for codification. On the other hand, other Members felt that the Commission, having selected a topic for codification, was competent to proceed with its work according to the procedure provided in Articles 19 to 23, without awaiting the General Assembly's decision on the recommendations submitted by the Commission under Article 18(2). This latter view was upheld by the majority.

The second item adopted as part of the Commission's agenda was the question of a draft Declaration on the Rights and Duties of States, which is dealt with separately in the following section of the present Chapter.*

The third item was adopted in two parts. It consisted of the formulation of the principles recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal; and the preparation of a draft Code of Offences against the Peace and Security of Mankind.** In considering this item, however, the Commission concluded that, since the Nuremberg principles had been affirmed by the General Assembly, it did not have to express any appreciation of them as principles of international law but was merely required to formulate them. This task was accordingly postponed until after the work of preparing a draft Code of Offences against the Peace and Security of Mankind had been completed.

Three other items on the agenda were given general consideration by the first session of the Commission, which arranged for further work to be undertaken on them by certain of its Members. These items were (a) desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction may be conferred upon that organ by international conventions;† (b) ways and means of making evidence of customary international law more readily available;†† and (c) cooperation with other bodies—(i) consultation with organs of the United Nations and with international and national organizations, official and non-official; and (ii) list of national and international organizations prepared by the Secretary-General for the purpose of distributing documents.†††

The Report on the first session of the Commission was considered by the Legal Committee of the General Assembly at a series of meetings in October. The discussion centred mainly on the question whether the Commission was competent to proceed with the work of codifying topics of international law selected by it without first obtaining the approval of the General Assembly. Most delegates were disposed to support the decision of the majority of the members of the Commission. The Canadian Representative said that his Delegation recognized the lack of clarity of the Statute on this point but on practical grounds was glad that the Commission had decided to go ahead with the work of codifying certain topics without waiting some months for directions from the General Assembly.

A resolution proposed by the French Delegate in the Legal Committee, which was subsequently adopted by the General Assembly on December 6 by a vote of 42 in favour, including Canada, and none against, with 5 abstentions, approved the work of the Commission during its first session, noted that it had "dealt, within its competence, with the studies entrusted to it by the General Assembly", and congratulated the Commission on the work it had undertaken and on the work still in progress.

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*See pp. 198-200.

**Pursuant to General Assembly Resolution No. 177 (II), November 21, 1947.

†General Assembly Resolution 260 (III) B, December 9, 1948.

††Article 24 of the Statute of the International Law Commission.

†††Articles 25 and 26 of the Statute of the International Law Commission.

The Representative of Iceland proposed to add the topic of territorial waters to the list of three selected by the Commission for priority in codification, because of its close connection with the regime of the high seas. The Canadian Representative voted in favour of this proposal because of the logical connection of the regime of the high seas and the regime of territorial waters. On December 6 the Assembly adopted a resolution recommending that the topic of territorial waters be included in the list of priorities of the Commission.

Draft Declaration on the Rights and Duties of States

The International Law Commission, in the Report covering its first session, submitted to the Fourth Session of the General Assembly a draft Declaration on the Rights and Duties of States. In a resolution of November 21, 1947,* the General Assembly instructed the International Law Commission to prepare a draft declaration on the rights and duties of States, "taking as a basis of discussion the draft declaration on the rights and duties of States presented by Panama** and taking into consideration other documents and drafts on this subject".

During the preparation of its draft Declaration, the Commission took into account certain guiding considerations. It considered that the draft Declaration should be in harmony with the provisions of the Charter of the United Nations; that it should be applicable only to sovereign states; that it should envisage all the sovereign states of the world and not only the members of the United Nations; and that it should embrace certain basic rights and duties of states.

The text of the Commission's draft was adopted as a whole in the Commission by a vote of 11 to 2; Mr. Koretsky (U.S.S.R.) and Mr. Hudson (U.S.A.) voting against adoption.*** The Declaration consists of a statement of four rights and ten duties of states. Each of the fourteen articles was derived from an article in the Panamanian draft, which contained twenty-four articles. In its Report, the Commission remarked that the final article which proclaims "the supremacy of international law" over state sovereignty, was a global provision which dominated the whole draft and served as a key to the other provisions.

When the discussion on the draft Declaration began in the Legal Committee of the General Assembly on October 18, 1949, the Representative

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*See *Canada at the United Nations, 1947*, p. 160.

**For text, see *The United Nations, 1946*, Conference Series 1946, No. 3, pp. 222-4.

***For the text of the draft Declaration, see Appendix 35, pp. 296-298.

of Poland made a preliminary objection on the ground that the draft should have been sent to governments for their comments under Articles 16 and 21 of the Statute of the International Law Commission, before being placed on the agenda of the Assembly. The majority of the Committee considered, however, that the matter was properly before the Legal Committee, thus agreeing with the decision of the Commission itself, to which its Soviet member had objected.

There followed a general discussion on the nature, form and purpose of the draft Declaration, which occupied some days, during which about forty general statements were made, and in which the Canadian Representative participated.* There was much debate and some disagreement on the legal nature that the instrument should or would have if adopted. Some representatives thought that it would have binding force as a statement of existing international law, while others thought that it would not be binding and would simply be declaratory of existing law, with only moral or persuasive force. Others considered it would establish a common standard of achievement for states, comparable to the Universal Declaration of Human Rights. Still others thought that it should be put in the form of a convention, which would be open to signature and ratification.

Closely related to the nature of the instrument to be aimed at was the question whether the text of the Commission was a work mainly or exclusively of codification of existing rules of international law, or a work mainly of progressive development of international law. Opinions varied on the question of which articles expressed existing law and which described only principles in the process of becoming law.

Very few delegates showed any strong desire to have the draft Declaration adopted at the Fourth Session, and no resolutions advocating immediate adoption were submitted. The United States and the Argentine Delegations each circulated resolutions proposing rather different courses of action. The United States draft resolution proposed that the General Assembly deem the draft Declaration a "notable and substantial contribution towards the codification and the progressive development of international law", and commend it "to the continuing consideration of member states, of international tribunals and of jurists of all nations as a source of law and as a guide to its progressive development". The Argentine draft resolution regarded the text as a "substantial contribution" and proposed that it be transmitted to member states for their consideration and comments, which would be sent to the Commission to enable it to prepare a revised statement to be submitted to the next session of the Assembly. It became evident during the course of the discussion that support was about evenly divided between these two proposals. The Canadian Representative in his statement mentioned above favoured the resolution proposed by the Argentine. On the suggestion of the Delegate of Colombia, the two proposals were combined in a joint compromise proposal which emerged, with many amendments, as the resolution adopted by the General Assembly on December 6 by a vote 34 in favour, including Canada, and none against, with 12 abstentions.

This resolution deems the draft Declaration a notable and substantial contribution towards the progressive development of international law and its codification, and as such commends it to the continuing attention of member states; and, on the other hand, requests member states to furnish their comments and suggestions on the draft Declaration by July 1, 1950, as well as on the question whether any further action should be taken by the General Assembly on the draft Declaration and, if so, the exact nature of the document to be aimed at. The comments will not be referred back to the International Law Commission.

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*For the text of the Canadian statement, see Appendix 34, pp. 294-296.

Because of the purpose of this resolution, there was no consideration in the Legal Committee of the substance or text, article by article, of the draft Declaration; or of the proposed longer and different statement submitted by Yugoslavia, and the specific amendments to some articles which had been circulated.

Rules for the Calling of International Conferences by the Economic and Social Council

On November 17, 1948, the Third Session of the General Assembly invited the Secretary-General to prepare, in consultation with the Economic and Social Council, draft rules for the calling of international conferences by the Economic and Social Council, as provided for in paragraph 4 of Article 62 of the Charter. Draft rules for this purpose were submitted to the Fourth Session of the General Assembly.

The draft rules as adopted by the Economic and Social Council provided for the calling of "international conferences of States, experts or organizations". The Legal Committee, by a vote of 25 in favour and 22 against, including Canada, with 2 abstentions, decided however, that the rules at present should be confined to inter-governmental conferences. It was widely held in the Committee that the expression "international conferences" in Article 62 of the Charter should in strict law be limited to conferences of states. The Canadian Delegate shared the substantial minority view that, nevertheless, the term should on practical grounds be given a broad and liberal interpretation.

A set of nine rules was formulated and adopted by the Legal Committee.* These were approved by a vote of 39 in favour, including Canada and none against, with six abstentions, by the General Assembly on December 3.

The Assembly, on a proposal made in the Legal Committee, also adopted a resolution requesting the Secretary-General to prepare, after consulting the Economic and Social Council, draft rules for the calling of non-governmental conferences, with a view to their study by the General Assembly.

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*For the text of the Rules adopted, see Appendix 36, pp. 298-299.

Genocide Convention and Revised General Act for the Pacific Settlement of Disputes

Genocide Convention

On December 9, 1948, at its Third Session, the General Assembly unanimously approved a Convention on the Crime of Genocide, which is defined as any of a list of acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group". The Convention on that date became open for signature and ratification.*

Article XI of the Convention provides that it shall be open until December 31, 1949, for signature on behalf of any member of the United Nations and of any non-member state to which an invitation to sign has been addressed by the General Assembly. After January 1, 1950, the Convention may be acceded to on behalf of any member of the United Nations and of any non-member state which has received an invitation. It will come into force when there have been twenty ratifications or accessions. By the end of 1949, forty-three members of the United Nations had signed the Convention. It was signed for Canada at Lake Success on November 28, 1949. Five states (Ethiopia, Australia, Norway, Iceland and Ecuador) have ratified it.

The Secretary-General, in a report of August 17, 1949, observed that it was for the General Assembly to designate the non-member states which it wished to invite to become parties to the Convention. On December 3 the General Assembly, by a vote of 38 in favour, including Canada, and none against, with 7 abstentions, adopted a resolution to send such invitations to "each non-member State which is or hereafter becomes an active member of one or more of the specialized agencies of the United Nations, or which is or hereafter becomes a party to the Statute of the International Court of Justice". Because of the controversial issues involved, there was a general desire to avoid making a specific list of countries to be invited and to have recourse instead to a general formula.

During the discussion in the Legal Committee, it had been made clear that the use of the word "active" in the resolution was aimed at keeping Spain from receiving an invitation to sign the Genocide Convention. (Spain is at present in a sense a non-active or suspended member of the International Civil Aviation Organization). An unsuccessful motion to delete the word "active" was supported by the Canadian Representative, on the ground that it was desirable that Spain, among other countries, should be invited to become a party to a humanitarian convention of this character which confers no rights or privileges but only imposes an obligation to punish the crime of genocide.

Revised General Act for the Pacific Settlement of Disputes

The League of Nations drew up a General Act for the Pacific Settlement of International Disputes on September 26, 1928. The methods of settlement comprise conciliation, judicial settlement, and arbitration. A score of countries adhered to this Act. Canada acceded with certain reservations on July 1, 1931. On April 28, 1949, the General Assembly adopted a resolution instructing the Secretary-General to prepare a revised text of

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*See *Canada and the United Nations, 1948*, p. 191.

the General Act and to hold it open to accession by states. The changes in the Revised Act concern only the mechanics of the procedure for the settlement of disputes, which were called for by the disappearance of the organs of the League of Nations and the Permanent Court of International Justice, and their replacement by organs of the United Nations. The purpose of these amendments was to restore the original efficacy of the Act of 1928.

Article 43 of the Revised General Act provides that it shall be open to accession by non-member states to which the General Assembly has communicated a copy for this purpose. The Secretary-General, in a report of August 17, 1949, requested the General Assembly to give him such instructions as it might deem fit, for the purpose of transmitting copies of the Revised Act to any non-member states.

On December 3 the General Assembly adopted a resolution which, after noting that no state member of the United Nations had at that time adhered to the Revised General Act, deferred to a later date the consideration of extending invitations to adhere to non-member states. The Act comes into force on the accession of two countries.

Registration and Publication of Treaties and International Agreements

Each year the Secretary-General presents a report on the registration of treaties by member states under Article 102 of the Charter, which is considered by the Legal Committee of the General Assembly.* In his annual report on the work of the United Nations for the year ending June 30, 1949, the Secretary-General stated that there had been an increase in the number of treaties registered with the United Nations. This was partly due to action taken by governments and partly to arrangements concluded with some specialized agencies, whereby the agencies register with the United Nations all agreements registered with them. From July 1, 1948, to June 30, 1949, 346 treaties were registered. This represented an increase of sixty-seven over the comparable preceding period. By August 15, 1949, a total of 569 treaties had been registered with the United Nations and 191 filed and recorded. Eighteen volumes of the United Nations Treaty Series had been published by the end of August 1949, and eight further volumes were then being printed. It was estimated that a further eight volumes would be sent to the printers by the end of the year.

A resolution was unanimously adopted by the General Assembly on December 1, 1949, noting with satisfaction the progress achieved in regard to the registration and publication of treaties, and requesting the Secretary-General to take all necessary measures to bring about the earliest possible publication of all registered agreements and treaties. It was indicated, when this matter was under consideration in the Legal Committee, that it should be possible soon to reach the objective of publication of treaties within at most six months of their registration.

The Assembly on the same date adopted by a vote of 49 in favour, including Canada, and none against, with 3 abstentions, an amendment to the Regulations of 1946 on the Registration of Treaties,** authorizing the Secretary-General *ex officio* to register multilateral treaties of which the United Nations is depositary.

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*See *The United Nations, 1946*, p. 269.

**See *Canada and the United Nations, 1948*, p. 195.

Privileges and Immunities*

On December 3, 1949, the Fourth Session of the General Assembly by a unanimous vote took note of reports by the Secretary-General which emphasized that twenty-six member states, including the host state, had not as yet acceded to the Convention on the Privileges and Immunities of the United Nations.

The Third Session of the General Assembly, in a resolution of December 3, 1948, instructed the Secretary-General to submit, at each regular session of the General Assembly, a report on the credentials of the permanent representatives accredited to the United Nations. In his report dated August 16, 1949, prepared for the Fourth Session of the Assembly, the Secretary-General stated that fifty member states had set up permanent missions at the seat of the United Nations. The credentials of the permanent representatives of thirty-five member states, including Canada, fully satisfied the stipulations of the resolution of December 3, 1948. Eleven states, including Canada, had informed the Secretary-General that their permanent representatives were empowered to represent them in one or more organs of the United Nations. The credentials of General McNaughton authorized him to represent Canada on the Security Council. Fifteen member states, including Canada, had set up permanent missions at the European Office of the United Nations in Geneva. The examination of credentials showed that they contained a wide variety of forms. The Secretary-General therefore, in the interest of uniformity, suggested a model form of credentials. On December 3, 1949, the General Assembly unanimously adopted a resolution which noted with satisfaction that fifty-one member states had set up permanent missions at the seat of the United Nations, and invited all member states which had set up such missions and had not yet transmitted to the Secretary-General the credentials of their permanent representatives to do so as soon as possible.

The Convention on the Privileges and Immunities of the United Nations provides in Article VII that the United Nations may issue United Nations laissez-passer to its officials, and that these laissez-passer shall be recognized and accepted as valid travel documents by the authorities of members. It also specifies the rights and facilities which should be given to the bearers of these documents. Canada acceded to this Convention on January 22, 1948.

Section 28 of Article VII of this Convention also provides that:

> The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

In accordance with this section, the Secretary-General concluded supplementary agreements with ICAO, UNESCO and FAO concerning the use of United Nations laissez-passer. By a resolution of December 3, 1948, the General Assembly approved these agreements. The laissez-passer of the United Nations is now issued to officials of these agencies on a regular basis.

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*See *Canada and the United Nations, 1948*, p. 193.

In July 1949 a similar agreement was entered into with the Universal Postal Union which was submitted for approval at the Fourth Session of the Assembly. On October 22, 1949, the General Assembly approved unanimously this supplementary agreement concerning the use of the United Nations laissez-passer.

Draft Convention on the Declaration of Death of Missing Persons

On August 24, 1948, the Economic and Social Council adopted a resolution in which it recognized the urgency and importance of solving the legal difficulties arising from the disappearance of numerous victims of war and persecution, expressed the view that these difficulties might best be solved by an international convention, and requested the Secretary-General to prepare a preliminary draft convention on the subject, and to submit it to member governments for their comments. Subsequently ECOSOC, noting that the questions raised by this draft convention had a complex legal character, appointed a special committee of seven members which met in Geneva in June 1949. Its report and its text for a convention came before the Legal Committee at the Fourth Session of the General Assembly.

The proposed convention had, according to the special committee, two main objectives:

(1) to facilitate the issuance of declarations or certificates of death of missing persons on a broad jurisdictional basis, affording a convenient choice of tribunals and a simple and inexpensive but legally sound procedure;

(2) to provide for recognition of such declarations by other states parties to the convention.

Certificates of death granted under the provisions of the convention would issue only for persons who had been missing for five years, were formerly resident in Europe, Asia or Africa, and disappeared during the war years 1939 to 1945. It is necessary for the survivors of such missing persons to establish legally their deaths in order that their property may be disposed of, or to enable their surviving spouses to remarry or their orphans to be adopted.

This subject came up for discussion towards the end of the meetings of the Legal Committee, and it was generally agreed that there was not sufficient time to consider the substance of the proposed convention. It also became evident that all member governments were not equally interested in, or concerned with, the problems which the draft convention was designed to solve. A resolution was adopted by the Legal Committee on November 26 to refer the draft convention to member states to enable them to consider the possibility of adopting legislation on the basis of it, or of concluding international agreements to deal with the problem.

At a plenary meeting of the Assembly on December 3, this resolution was substantially amended, on a proposal sponsored by Belgium, Denmark, Sweden and Uruguay, to provide for the convening of an international conference of government representatives not later than April 1, 1950, with a view to concluding a multilateral convention on the subject. This amendment was carried by a vote of 23 in favour and 10 against, with 11 abstentions, including Canada. The resolution as a whole was adopted by a vote of 29 in favour and one against, with 15 abstentions.

In Canada the subject matter of the proposed convention falls in all its main aspects within the provincial field of jurisdiction. The principal situations where persons wish to obtain declarations of the presumption of death relate to claims by the beneficiary of a life insurance policy, proceedings for the distribution of an estate, and questions of personal or civil status, mainly in cases where it is desired to have a marriage dissolved on the presumption that a husband or wife is dead. These subjects are to a very large extent matters of property and civil rights, and civil procedure, in the Provinces. Canada's abstention on the proposal to call an international conference for the conclusion of a multilateral convention is attributable partly to the serious constitutional difficulties involved and partly to the limited direct interest which Canada has in this problem.

Appendix 1

Statement by the Chairman of the Canadian Delegation in the Opening Debate of the General Assembly, September 26, 1949.

Every speaker in the general discussion which opens our Assembly has emphasized—and rightly so—the vital role of the United Nations in sustaining and ensuring peace. Is it doing that? Has it been given a chance to do it? The answer is indicated by the fact that five years after the end of war even the formal processes of peace-making have not yet been completed. Even if they had, there would be no assurance in the international atmosphere today, a compound of suspicion and fear, that the United Nations could convert a technical peace settlement into something that would be more than the absence of armed conflict. The major problems of the post-war period remain unsettled and the conditions that would make possible their solution do not seem to exist. It is with increasing concern, therefore, that the people of the world regard these unsolved problems and watch the United Nations Assembly in its efforts to make a contribution to their solution.

We must begin by making a careful re-appraisal of the policies and activities and procedures of our world organization, and asking the question what, in the circumstances, we may reasonably expect the United Nations to accomplish.

So far as the Canadian Government is concerned, we have tried to make practicability the touchstone of our attitude towards the United Nations. Where we consider there is any real promise that a proposed course of action will contribute effectively to the solution of any particular problem, we are prepared to give it our full support. On the other hand, we wish to avoid giving to the United Nations tasks which, in the light of the limitations under which it now suffers, and which must some day be removed, it is clearly unable to perform. We wish to be certain that before any course of action is initiated there is a reasonable expectation that it can be carried through to a good conclusion, and that the members of the United Nations will support the organization in this process.

These are the principles which have guided the Canadian Government in determining more particularly the policy it should follow in the Security Council, where its first term of membership is now coming to an end.

When we were elected to membership on the Security Council we were fully conscious of the great possibilities for good which it, of course, possessed. We knew also, however, that these possibilities would be largely nullified if the five permanent members were not able to work together on a basis of friendly cooperation and mutual concessions. Without such a basis, the veto would obviously be used to prevent political decisions being reached in the Council, and the Military Staff Committee would not be able to reach any agreement to put international force behind any decision —even if one were reached.

In spite of these handicaps, however, the majority of the members of the Security Council have tried to make it work constructively and there have been some real successes.

As a consequence the Council, although unfortunately still lacking the powers necessary to fulfil its primary function of maintaining peace and security, has worked out flexible and adaptable procedures which have often been effective and, at least, constitute a useful method of doing international business.

In the international political situation that exists it is surprising, not that the Security Council has done so little, but that it has done so much. In particular, very valuable experience has been gained, and some good results achieved, in the handling of three troublesome and dangerous questions which have been brought before the Council—Palestine, Indonesia and Kashmir. The Security Council has not solved any one of these problems, and it is clear that their ultimate solution must be worked out by the people who are directly responsible for the circumstances and whose daily lives are actually affected. The Council has, nevertheless, played an important role in preventing the outbreak of general war in all three areas. That must be admitted even by those who are disappointed because the Council has not been able to take final and definitive action in regard to any one of them.

Our delegation hopes that, in carrying out its further responsibilities, the Council will be guided by certain principles of action which have emerged in the course of the past two or three years. These principles, in default of an improvement in relations between the Communist and democratic worlds, would seem to mark the limits that we can now reach. To attempt to go beyond these limits in present circumstances is merely inviting failure. The first is that the Security Council shall not initiate action that it cannot complete with its present resources. There have often been demands that the Security Council should intervene in some area or another with force, and that when fighting occurs, the Security Council should take steps to suppress it. There would be a great deal to recommend such intervention if it could be carried out firmly and quickly, but the fact is, of course, that the Security Council has at present no effective way of imposing its will. In consequence, in many cases it can do little more in the first instance than call upon the parties engaged in the dispute to stop fighting and start talking, offering them the means by which they can work out a settlement by negotiation rather than by conflict. This is not a dramatic or spectacular method of procedure, but in the circumstances it has served fairly well.

The second principle which, in our opinion, should guide the actions of the Security Council is that to the greatest extent possible the responsibility for solving a political problem should be left with the people who are immediately affected by it. In respect of Palestine, Indonesia and Kashmir, for instance, it is still the case that the parties directly concerned and the people who live in the area must seek to determine the measures by which peace will be maintained in these areas. This is not only the most practical principle of action; it also revives and strengthens a sense of responsibility at the point where it is most vital to healthy, political life, and it sets the objectives of an agreed, rather than an imposed solution.

The third general principle which seems to us to have emerged is that the Security Council should in all cases immediately concentrate its influence on putting an end to hostilities or disorders whenever they occur. By insisting on this principle, and by insisting equally that fighting shall be stopped without prejudice to the ultimate political solution, the Security Council has been on strong ground. It has not, of course, been able to command complete obedience. Fighting has recurred even in areas where a firm truce seemed to have been established, and it has not been possible to guarantee absolutely that the ultimate outcome of a dispute would not be affected by the military action which had taken place. In general, however, the primary concern of the Security Council, that peace should be kept while negotiations proceed, has been respected and has contributed materially to the progress which has been made in the settlement of disputes. The moral authority of our world Organization—which seems to be all that it is now permitted to have—is no slight thing, and no state, great or small, lightly disregards its decisions.

It is an encouragement to those who believe in the United Nations and hope for its success to observe the practical results which have come from the application of the principles which I have mentioned. It is encouraging also to have found that, as demands were made on the United Nations, people came forward and offered their services, often in dangerous circumstances, in order to carry out these tasks. There is no greater evidence of the vitality of our Organization and of the role which it may play in the world than the loyal service which it has been able to command from its own representatives.

Certainly the task before the United Nations is great, and its responsibilities are likely to be steady and continuing rather than brief and episodic. For example, all three of the major subjects which have preoccupied the Security Council during the past two years are related to one great general and continuing movement. It arises out of the transformation of the colonial relationship between European people and people in other continents into a new partnership of free communities. A great tide is moving in the affairs of men, and it calls for radical and complicated adjustment in political relationships. It is not surprising that, as it takes place, it produces strains and tensions, and that some people are impatient for greater speed. But there is evidence before us every day that the process begun many decades ago is accelerating and that a completely new relationship is being worked out between the peoples of the western world and what were once called dependent areas. The United Nations is playing an important part in this process. This, I think, is one of the reasons why the world should be most grateful for the existence of this organization today.

On Friday last and on many other occasions the leader of the Soviet Delegation accused the democracies of imperialism. The fact is that imperialism of the old kind is a rapidly diminishing force; a dying doctrine. The real danger today lies in the new imperialism of the post-war period. During that period only one state in the world has extended its borders and the area of its domination. That state has annexed 179,000 square miles of territory, and included within its borders in the last ten years more than twenty-one million people. Backed by its armies, it has imposed satellite regimes on neighbouring states. It has used its great material power and resources to rivet its economic control over the peoples under its influence. Its leaders have talked freely of "liberation" and of "national sovereignty", but its agents abroad have never hesitated to proclaim their obedience to its control and their determination to serve its interests above the interests of their own governments and their own peoples. How can there be a feeling of peace and security, where an alien power insists on imposing its domination over other nations and peoples? We do not dispute for a moment the right of any state to maintain its own social and economic order, along with its territorial integrity. But we of the free democracies reject this new imperialism which uses the subversive forces of international communism to destroy the national independence of even Communist states which will not accept its interference and its dictates. It is this new imperialism which the world watches with so much concern, partly because of its aggressive interference in the affairs of other states, partly because of its inherent instability. There are already evidences that because of its own internal weaknesses and contradictions this new imperialism will not survive. As it changes, a more just and equitable relationship amongst the states which it affects may come about. I hope that the United Nations will be permitted to play a constructive role in that change, as it is now playing in other areas where the old imperialism of earlier centuries is now disappearing.

The leader of the Soviet Delegation also made on Friday a strong plea for support of the United Nations. He thought that certain United Nations bodies in their present form were most unsatisfactory, and felt that we should not put up with this state of affairs. His appeal for support and improvement of these bodies would have been more impressive if the Government which he represents had not refused to play any part in the United Nations specialized agencies which have been established since the war. This boycott special agencies which have been established since the war. This boycott extends even to those agencies dealing with questions of health and welfare, food and agriculture, civil aviation and cultural relations. A government which follows that negative and sterile policy should not lecture the rest of us on support for the United Nations or on the virtues of international cooperation.

The Soviet Delegate also argued on Friday, and in more detail on other occasions, that the international control of weapons of mass destruction, must not involve an invasion of national sovereignty. Such an insistence makes effective control futile and meaningless. It will be small comfort if and when some atomic bomb drops on us, to know that while we have lost everything else, we have saved our sovereignty to the very end. If a state puts formal sovereignty ahead of peace and security, then its support for international control of atomic and other weapons of mass destruction is hypocritical and meaningless.

The leader of the Soviet Delegation also made a vigorous attack against warmongering, something which, of course, all of us detest and which we must combat from whatever source it comes, whether from a bellicose general or a Cominform agitator. But Mr. Vishinsky ignored completely one despicable form of this crime against peace, civil warmongering, the direct attempt of one government to destroy the authority of the government of some other state by fomenting civil war. He also ignored that kind of warmongering which, by state decree and direction, poisons the minds of peoples against each other; which even prostitutes the education of children to the ends of aggressive ideological warfare. The kind of warmongering which distorts and misrepresents history, science and even letters in the interest of national policy and which prevents international understanding and cooperation by putting a blanket of fear and ignorance and isolation over the minds and bodies of its people.

The leader of the Soviet Delegation made a plea for peace and said that his country remains faithful to the principles of international cooperation. He can be assured, I feel certain, of our devotion to those ideals.

If some are sceptical of their acceptance by others, that scepticism can be easily removed when performance matches promise. He quoted the leader of his own government when he said "we stand for peace", but we have read other statements from that same source, meant not for foreign but for home consumption, which preached the gospel of inevitable and bitter conflict. Which are we to believe?

We know one thing. We of the smaller powers know it with a special feeling of dread, that there is no real peace, but fear and insecurity in the world today. We know that there is a great menace to our free institutions, and to our security in the aggressive and subversive force of international communism which has behind it all the resources of a great power—the most heavily armed power in the world, where every male inhabitant is dedicated and trained to the military or other service of his government from the cradle to the grave. When some states, knowing that there is at the moment no prospect of universal collective defence through the United Nations, attempt to remove or alleviate this fear by banding together in a pact which will make possible at least some collective resistance against aggression, the attempt is branded as aggressive and against the Charter, and so branded by those who have been largely responsible for making the U.N. so ineffective, a development which in its turn has made these limited agreements necessary. The repetition of this charge does not make it true, especially when it is made by those who have already worked out a whole network of treaties and alliances in Eastern Europe, only a few of which have been even registered with the United Nations.

If and when the United Nations can organize effective arrangements for defence against aggression on a universal basis, all other alternate and second-best, very much second-best, arrangements must be scrapped. We must work, in spite of all obstacles, to that end. Until we achieve it, however, we do the best we can to put collective force, even on a narrower front, behind our will for peace. Our actions will be the best proof that our intentions are not aggressive. We are willing to accept that test for ourselves. Others will also be judged by it—and not by words.

We can apply this test, for instance, to the three proposals that have been tabled by the Soviet Delegation and which we have before us.

The first, by singling out two member states for condemnation as warmongers, is obviously meant for propaganda and not for peace.

The second appears to call for prohibition of atomic weapons and the establishment of a system of adequate and rigid international control. The majority of this Assembly has already translated those words into express conditions which represent the requirements for effective control and prohibition. If the Soviet resolution accepts those conditions, progress in this most vital matter can now be made in the United Nations, which is the only place where progress can be made. If it does not accept these express conditions, then again, I suggest that we must class this proposal as propaganda.

The third resolution calls upon us—and especially the permanent members of the Security Council—to settle our differences peacefully. We have already, all of us, accepted that specific obligation by acceptance of the Charter. Furthermore, the inclusion in this resolution of the words "the mighty popular movement for peace and against warmongers", which have a peculiar meaning in the Communist lexicon, seems to bring this resolution also into the field of propaganda.

If the practice of introducing resolutions for the purpose of propaganda persists, then, Mr. President, even under your distinguished leadership, this Assembly will find it difficult to make that contribution to peace which we so ardently desire to make. We must, however, in spite of all obstacles keep everlastingly at the task. Only by so doing can we maintain in the minds and hearts of all people, faith in the United Nations as the best, possibly the only hope for the prevention of a war, which, if we allowed it to occur, would engulf and destroy us all.

Appendix 2

Statement on the Consultations of the Six Permanent Members of the Atomic Energy Commission issued by the Representatives of Canada, China, France, the United Kingdom, and the United States, October 25, 1949: Atomic Energy

On October 24, 1949, the Representatives of Canada, China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America agreed to send to the Secretary-General of the United Nations, for transmission to the General Assembly, the following interim report on the consultations of the six permanent members of the Atomic Energy Commission:

In paragraph 3 of General Assembly resolution 191(III) of November 4, 1948, the representatives of the Sponsoring Powers, who are the Permanent Members of the Atomic Energy Commission, namely, Canada, China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, were requested to hold consultations "in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes, and for the elimination from national armaments of atomic weapons".

The first meeting took place on August 9, 1949. The consultations have not yet been concluded and are continuing but, in order to inform the General Assembly of the position which has so far been reached, the six Sponsoring Powers have decided to transmit to it the summary records of the first ten meetings.

It was agreed by the group that any of the Representatives of the Governments taking part in these consultations retained the right to submit to the Assembly their observations on the course of the consultations so far. The Representatives of Canada, China, France, the United Kingdom and the United States accordingly submit to the General Assembly this statement, which represents their joint views, in the hope that it may assist the Assembly in its consideration of this problem.

Basis of Discussion

It was found desirable to approach these consultations from the viewpoint of general principles rather than specific proposals which had been the basis of most of the discussion in the United Nations Atomic Energy Commission. To this end, the Representative of the United Kingdom offered a list of topics as a basis for discussion. Included in this paper was a Statement of Principles relating to each topic (Annex I). It was pointed out that the United Kingdom Statement of Principles was based on the plan approved by the General Assembly,* but at the same time covered the essential topics with which any plan for the prohibition of atomic weapons and the control of atomic energy would have to deal. The list of topics was then adopted as the basis for discussion. The Representatives of Canada, China, France, the United Kingdom and the United States made it clear that their Governments accepted the Statement of Principles set forth in this paper and considered them essential to any plan of effective prohibition of atomic weapons and effective control of atomic energy for peaceful purposes. They expressed the readiness of their Governments to consider any alternative proposals which might be put forward, but emphasized that they would continue to support the plan approved by the General Assembly unless and until proposals were made which would provide equally or more effective and workable means of control and prohibition.

Prohibition of Atomic Weapons

At the request of the Soviet Representative, the question of the prohibition of atomic weapons was taken up first. The texts which served as a basis for the discussion were point four of the Statement of Principles, and a Soviet amendment submitted to replace the text (Annex II). In the course of the discussion, the Soviet Representative declared that the representatives of all six Sponsoring Powers were in agreement in recognizing that atomic weapons should be prohibited, and he therefore drew the conclusion that his amendment should be accepted. The other Representatives pointed out that it had always been agreed that the production, possession or use of atomic weapons by all nations must be prohibited. But it was also agreed that prohibition could only be enforced by means of an effective system of control. This was recognized even in the Soviet amendment, but the remainder of the amendment contained a repetition of the earlier Soviet proposals for control which were deemed inadequate.

The Soviet Representative insisted that two separate conventions, one on prohibition and the other on control, should be put into effect simultaneously. The other Representatives maintained that the important point to be resolved was what constitutes effective control, and that this control had to embrace all uses of atomic materials in dangerous quantities. In their view the Soviet proposals would not only fail to provide the security required but they would be so inadequate as to be dangerous. They would delude the peoples of the world into thinking that atomic energy was being controlled when in fact it was not. On the other hand, under the approved plan, the prohibition of the use of atomic weapons would rest not only on the pledge of each nation, but no nation would be permitted to possess the materials with which weapons could be made. Furthermore, the Soviet Government took an impracticable stand as regards the question of timing or stages by which prohibition and control would be brought into effect.

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*See Official Records, A.E.C., Fourth Year, Special Supplement No. 1.

Stages

On this topic, the Soviet Representative maintained that the entire system of prohibition and control must be put into effect simultaneously over the entire nuclear industry.

The Representatives of the other Powers pointed out that this would be physically impossible. The development of atomic energy is the world's newest industry, and already is one of the most complicated. It would not be reasonable to assume that any effective system of control could be introduced and enforced overnight. Control and prohibition must, therefore, go into effect over a period of time and by a series of stages.

The plan approved by the General Assembly on November 4, 1948, does not attempt to define what the stages should be, the order in which they should be put into effect, or the time which the whole process of transition would take. The reason for this is that no detailed provisions on stages could be drawn up until agreement is reached on what the control system should be, and the provisions would also depend on the state of development of atomic energy in the various countries at the time agreement is reached. Until then, detailed study of the question of stages would be unrealistic.

Meanwhile, the approved plan covers the question of stages in so far as it can usefully be carried at present. The plan provides that the schedule of stages of application of control and prohibition over all the many phases of the entire nuclear industry is to be written into the treaty, with the United Nations Atomic Energy Commission as the body to supervise their orderly implementation. No other commitment or position on this question is contained in the approved plan.

Means of Control

The Soviet Representative insisted, as in the past, that any plan of control, to be acceptable to the Soviet Union, must be based on the Soviet proposals for control, originally put forward in June 1947 (Document AEC/24, June 11, 1947), which provide for periodic inspection of nationally owned plants producing or using atomic materials, when declared to an international control organ by the Governments concerned.

The Representatives of Canada, China, France, the United Kingdom and the United States recalled that the nuclear fuels produced or used in such plants are the very nuclear explosives used in the manufacture of weapons. A new situation therefore was created in the field of armaments where the conversion of a peaceful industry into a war industry could take place rapidly and without warning.

In dealing with such materials a system of control depending merely on inspection would be ineffective. For ordinary chemical or mineral substances and their processing inspection might provide adequate guarantees, but atomic development presented special problems which could not be solved in this way. Materials used in the development of atomic energy were highly radioactive and could not, therefore, be handled except by remote control. The process of measuring atomic fuels was extremely intricate and, at the present stage of our knowledge, subject to appreciable error. It would be impracticable to rely on the inspection of plants and impossible to check the actual amounts of atomic materials inside piles or reactors against the amounts shown in the records.

A system of inspection alone would not prevent the clandestine diversion of atomic materials to war purposes from plants designed for peaceful use and would provide no guarantee that, in spite of any treaty, a nation which was determined to continue the secret manufacture of atomic weapons would be prevented from doing so. A plan based on periodic inspection, on which the Soviet Union insists, would be even less adequate than one based on continuous inspection.

The Soviet Representative dismissed these arguments as exaggerated or non-existent.

Since there was evidence that an atomic explosion had been produced in the Soviet Union, the Soviet Representative was asked whether he had any new evidence derived from Soviet experience to support his contention that periodic inspection would be sufficient to assure control. No answer has yet been received to this question.

The five Powers remain convinced that any system of inspection alone would be inadequate and that in order to provide security the International Control Agency must itself operate and manage dangerous facilities and must hold dangerous atomic materials and facilities for making or using dangerous quantities of such materials in trust for member states.

International Management

During the consultations, the question of ownership, which has often been represented as the real obstacle to agreement on control, was the subject of an extended exchange of views.

The Soviet Representative argued that international management and operation were equivalent to international ownership; and that neither international ownership nor international management and operation was essential to control. He stated that his Government would not accept either.

The Representatives of the other Sponsoring Powers refuted the interpretation put by the Soviet Representative on ownership, management and operation. For the reasons given they believed that the management and operation of dangerous facilities must be entrusted to the International Agency. Management and operation were clearly among the more important rights conferred by ownership. Since effective control would be impossible unless these rights were exercised by the Agency, the nations on whose territories such facilities were situated would have to renounce important rights normally conferred by ownership. This did not necessarily mean the complete devolution of the rights of ownership to the Agency; for example, the Agency would not have the right arbitrarily to close atomic power plants; it would have to conform to national legislation as regards public health and working conditions; it could not construct plants at will but only in agreement with the nation concerned. Moreover, the Agency would not be free to determine the production policy for nuclear fuel since this would follow provisions to be laid down in advance in the treaty. The treaty would also determine the quotas for production and consumption of atomic fuel. Finally the Agency would hold materials and facilities in trust and would not therefore be able to manage or dispose of them arbitrarily or for its own profit but only for the benefit of Member States.

There might well be other rights which would normally be conferred by ownership and which were not specifically mentioned in the approved plan. Their disposition would follow a simple principle. If there were rights, the exercise of which could impair the effectiveness of control, individual nations would be required to renounce them. Otherwise they might retain them.

If individual nations agreed to renounce national ownership of dangerous atomic materials and the right of managing and operating plants making or using them, in favour of an International Agency acting for the international community, such agreement would be on the basic principle, and there would be no need to quarrel over terminology.

Sovereignty

A further argument put forward by the Soviet Representative was that to confer on any international agency the powers suggested in the Statement of Principles would constitute a gross infringement of national sovereignty and would permit the International Agency to interfere in the internal economy of individual nations.

In answer to this argument it was pointed out that any plan for international prohibition and control must involve some surrender of sovereignty. The Representatives of the other Powers argued that it was indefensible to reject a plan for the international control of atomic energy on the purely negative ground that it would infringe national sovereignty. The ideal of international cooperation and, indeed, the whole concept on which the United Nations was based would be meaningless if States insisted on the rigid maintenance of all their sovereign rights. The question was not one of encroachment on sovereignty, but of assuring the security of the world, which could only be attained by the voluntary association of nations in the exercise of certain rights of sovereignty in an open and cooperating world community.

The Soviet Representative remarked that, while some representatives had stated that their Governments were prepared to waive sovereignty provided that the majority plan was accepted, the Government of the U.S.S.R. would not agree to do so.

Points of Difference

It appears from these consultations that, as in the past, the Soviet Union will not negotiate except on the basis of the principles set forth in the Soviet proposals of June 1947.

The essential points in the Soviet control proposals, and the reasons for their rejection by the other Five Powers, as brought out in the consultations, are as follows:

> The Soviet Union proposes that nations should continue to own explosive atomic materials.
>
> The other Five Powers feel that under such conditions there would be no effective protection against the sudden use of these materials as atomic weapons.
>
> The Soviet Union proposes that nations continue, as at present, to own, operate and manage facilities making or using dangerous quantities of such materials.
>
> The other Five Powers believe that, under such conditions, it would be impossible to detect or prevent the diversion of such materials for use in atomic weapons.
>
> The Soviet Union proposes a system of control depending on periodic inspection of facilities the existence of which the national Government

concerned reports to the international agency, supplemented by special investigations on suspicion of treaty violations.

The other Five Powers believe that periodic inspection would not prevent the diversion of dangerous materials and that the special investigations envisaged would be wholly insufficient to prevent clandestine activities.

Other points of difference, including Soviet insistence on the right to veto the recommendations of the International Control Agency, have not yet been discussed in the consultations.

Conclusions

These consultations have not yet succeeded in bringing about agreement between the U.S.S.R. and the other Five Powers, but they have served to clarify some of the points on which there is disagreement.

It is apparent that there is a fundamental difference not only on methods but also on aims. All of the Sponsoring Powers other than the U.S.S.R. put world security first and are prepared to accept innovations in traditional concepts of international cooperation, national sovereignty and economic organization where these are necessary for security. The Government of the U.S.S.R. put its sovereignty first and is unwilling to accept measures which may impinge upon or interfere with its rigid exercise of unimpeded state sovereignty.

If this fundamental difference could be overcome, other differences which have hitherto appeared insurmountable could be seen in true perspective, and reasonable ground might be found for their adjustment.

ANNEX 1

List of Topics and Statement of Principles Prepared by the Representative of the United Kingdom.

1. International System of Control:

(a) There should be a strong and comprehensive international system for the control of atomic energy and the prohibition of atomic weapons, aimed at attaining the objectives set forth in the resolution of the General Assembly of January 24, 1946. Such an international system should be established, and its scope and functions defined by an enforceable multilateral treaty in which all nations should participate on fair and equitable terms.

(b) Policies concerning the production and use of atomic energy which substantially affect world security should be governed by principles established in the treaty. Production and other dangerous facilities should be distributed in accordance with quotas and provisions laid down in the treaty.

2. International Control Agency:

(a) There should be established, within the framework of the Security Council, an international control agency, deriving its powers and status from the treaty under which it is established. The Agency should possess powers and be charged with responsibility necessary and appropriate for the prompt and effective discharge of the duties imposed upon it by the terms of the treaty. Its powers should be sufficiently broad and flexible to enable it to deal with new developments that may hereafter arise in the field of atomic energy.

(b) The personnel of the Agency should be recruited on an international basis.

(c) The duly accredited representatives of the Agency should be afforded unimpeded rights of ingress, egress and access for the performance of their inspections and other duties into, from and within the territory of every participating nation, unhindered by national or local authorities.

3. Exchange of Information:

(a) The Agency and the participating nations should be guided by the general principle that there should be no secrecy concerning scientific and technical information on atomic energy.

(b) The Agency should promote among all nations the exchange of basic scientific information on atomic energy for peaceful ends.

4. Prohibition of Atomic Weapons:

(a) International agreement to outlaw the national production and use of atomic weapons is an essential part of this international system of control.

(b) The manufacture, possession and use of atomic weapons by all nations and by all persons under their jurisdiction should be forbidden.

(c) Any existing stocks of atomic weapons should be disposed of, and proper use should be made of nuclear fuel for peaceful purposes.

5. Development of Atomic Energy:

(a) The development and use of atomic energy even for peaceful purposes are not exclusively matters of domestic concern of individual nations, but rather have predominantly international implications and repercussions. The development of atomic energy must be made an international co-operative enterprise in all its phases.

(b) The Agency should have positive research and developmental responsibilities in order to remain in the forefront of atomic knowledge so as to render itself more effective in promoting the beneficial uses of atomic energy and in eliminating the destructive ones.

(c) The Agency should obtain and maintain information as complete and accurate as possible concerning world supplies of source material.

6. Control Over Atomic Materials and Facilities:

(a) The Agency should hold all atomic source materials, nuclear fuels and dangerous facilities in trust for the participating nations and be responsible for ensuring that the provisions of the treaty in regard to their disposition are executed.

(b) The Agency should have the exclusive right to operate and manage all dangerous atomic facilities.

(c) In any matters affecting security, nations cannot have any proprietary right or rights of decision arising therefrom over atomic source materials, nuclear fuels or dangerous facilities located within their territories.

(d) The Agency must be given indisputable control of the source materials promptly after their separation from their natural deposits, and on taking possession should give fair and equitable compensation determined by agreement with the nation concerned.

(e) Activities related to atomic energy, which are non-dangerous to security, such as mining and milling of source materials, and research, may be operated by nations or persons under license from the Agency.

7. Means of Detecting and Preventing Clandestine Activities:

The Agency should have the duty of seeking out any clandestine activities or facilities involving source materials or nuclear fuel; to this end it should have the power to require reports on relevant matters, to verify these reports and obtain such other information as it deems necessary by direct inspection or other means, all subject to appropriate limitations.

8. Stages:

The treaty should embrace the entire programme for putting the international system of control into effect, and should provide a schedule for the completion of the transitional process over a period of time, step by step, in an orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy and prohibition of atomic weapons.

ANNEX II

Amendments Submitted by the Representative of the Union of Soviet Socialist Republics to Point 4 of the List of Topics Prepared by the Representative of the United Kingdom.

4. Prohibition of Atomic Weapons:

(a) An international convention outlawing the production, use and possession of atomic weapons is an essential part of any system of international control of atomic energy. In order to be effective such a convention should be supplemented by the establishment of a universal system of international control, including inspection to ensure that the provisions of the convention are carried out and "to protect States observing the convention from possible violations and evasions".

(b) The Atomic Energy Commission should forthwith proceed to prepare a draft convention for the prohibition of atomic weapons and a draft convention on control of atomic energy, on the understanding that both conventions should be concluded and brought into effect simultaneously.

(c) Atomic weapons should not be used in any circumstances. The production, possession and use of atomic weapons by any State, agency or person whatsoever should be prohibited.

(d) All existing stocks of finished and unfinished atomic weapons should be destroyed within three months of the date of entry into force of the convention for the prohibition of atomic weapons. Nuclear fuel contained in the said atomic weapons should be used for peaceful purposes.

Appendix 3

Canadian Statement, Ad Hoc Political Committee, November 7, 1949: Atomic Energy

The Canadian Government has for some years been actively concerned with the problems of atomic energy. We have long been conscious of the terrible dangers in the possible use of this energy for destructive purposes; conscious too of the great promise to mankind which the development of this energy for peaceful purposes holds out.

As long ago as November 15, 1945, the Prime Minister of the United Kingdom, the President of the United States and the Prime Minister of Canada joined in a proposal that the United Nations should work out specific proposals to safeguard humanity from the dangers and provide humanity with the benefits which a positive development of nuclear energy for peaceful purposes would give.

As you know, proposals which we think adequate for this good purpose have been worked out, and were approved last year by a large majority of the General Assembly. But in this matter, approval by a majority of states, however impressive, is not enough. If humanity is to be made secure from the dangers of atomic destruction, all nations must agree on measures which we know can be, and will be, implemented by all. To put the matter another way, if the U.S.A. and the U.S.S.R. do not agree on a plan for ensuring that there will not be an atomic arms race, there will be no such plan and there *will* be such a race, without any winner!

The position of my Government on the United Nations plan for the control of atomic energy and the prohibition and elimination of atomic weapons which was approved last year is well known. In common with most of the members of the United Nations, we are prepared to accept that plan. We are convinced that it is a good plan. We certainly do not, however, claim omniscience on this subject, nor is our thinking concerning it rigid and inflexible. Indeed the problem of atomic energy is such that it seems to me that all of us should seek its solution with humility as well as with sincerity. If any new proposals are made or new approaches suggested that give promise of an effective and agreed solution for this problem, then my Government will welcome them and examine them with all the care which they will deserve.

At the moment, however, as the President of the Assembly has stated, "the effort to solve this problem is stalled at dead centre". A political deadlock has developed between the U.S.S.R. and its associates on the one hand, and the majority of us on the other. Nor has that deadlock anything to do with the fact that one side has or has not a monopoly of atomic energy.

It has been obvious for many years that no single nation could long have a monopoly in atomic weapons because no single nation has, or can have, a monopoly in brains, or wisdom or energy. This point was made clear in the 1945 Three-Power statement to which I have referred. The United Nations policy on atomic energy has been developed on this assumption. The recent atomic explosion in the Soviet Union does, however, point up dramatically the validity of the thesis that security can be found only in effective international control. Nations on both sides of the chasm which at present so tragically divides the world now have the secret of the power which can smash that world. In an atmosphere of tension and fear and mistrust, that knowledge is being harnessed to the manufacture of weapons of mass destruction. This is the supreme menace that faces us, and it will increase if an atomic arms race is allowed to continue. The stock piles will grow, giving a fitful sense of security on one side, and threatening insecurity to the other. Your defence becomes my danger, and my defensive reaction to that danger seems to threaten your security.

There is, of course, only one final solution to this problem; the development of political conditions that will make war unnecessary and hence unthinkable. If war *does* come, international control of atomic energy will disappear along with every other kind of control. It is idle and misleading to cite to the contrary the Geneva poison gas conventions. No gas bomb ever killed 50,000 persons or held out such a terrible temptation to total and quick victory as atomic supremacy does. In any event, surely no one is going to argue in this Assembly that the Nazis, who broke every other law of God and man, observed the poison gas convention out of a decent regard for international morality and the observance of international conventions.

Yet it is defeatism to think we can do nothing except sit back and hope that war won't occur. We can remove some of the fear and insecurity that breeds conflict by taking the development of atomic energy for destructive purposes out of the individual control of national governments and turning it over to an international agency which will act, by agreement, as a trustee for the separate nations. This, to us, seems to be the only way to ensure that at least there will never be in the future an atomic Pearl Harbor or an atomic June 22, 1941. It removes the menace of a sudden, surprise atomic aggression. On this principle the "majority plan" rests. It is also the principle that has inspired the resolution which you have before you in the name of the French and Canadian Delegations.

How can we work out an international arrangement based on this principle? At the present, the two camps are deadlocked on this issue. How can we break that deadlock? The answer to this question—it will have to be more political than technical—will not be easy to find. We know that now, but we must try to find it.

The resolution which the French and Canadian Delegations have put forward lays down certain principles which in our view should be accepted if progress is to be made. It also provides for a new and vigorous examination of the problem by the permanent members of the Atomic Energy Commission. This new examination must be made in the light of present circumstances, one of the most important of which is the insistent demand of the people and the governments represented at this Assembly that, to use General Romulo's words again, "the means for controlling the destructive potentialities of this new force, *must* be found".

One of the principles embodied in our joint resolution is that we must keep open every channel for consultation and negotiation. We must not close any door.

The second principle is that we must also not close our minds. We must explore all possible avenues which give any promise of leading to a satisfactory solution to this vital problem. The Atomic Energy Commission must be prepared to consider any suggestion which could contribute to such a solution. The members of that Commission should be willing and anxious as I know they would be willing and anxious to examine ideas from any source, whether from an officer of the General Assembly, or from any government, or from the Press, or from any individual in any part of the world.

There is another vital principle which I suggest we must bear in mind. It is important that we do not mislead the world on this major issue. It would be heartless and it would be dangerous to give mankind the impression that atomic energy is under international control, if in effect it is not controlled; to pretend that nations are secure from the destructive power of atomic energy if they are not. We discovered in a hard and tragic way in the 1930's that a false sense of security, among peace-loving peoples, can encourage aggression; that this false sense of security can be the precursor to war. It would be no contribution to the peace of the world in present conditions of international mistrust and fear to encourage illusions of peace based merely on unsupported declarations against the use of atomic energy for war. If the situation was such that such declarations could accomplish their purpose, their high purpose, then there really wouldn't be any need for them at all.

The United Nations cannot afford, on this matter, to act irresponsibly, or to gamble with the peace of the world. We must be prepared to consider all ideas, but it is no less important that we should not be deceived by partial or temporary solutions, which may appear superficially attractive, and the stated purpose of which we all long to achieve. This is not a case of "save the surface and you save all"..

A particular weapon, whether it is an atom bomb or a hundred and fifty infantry divisions, fully armed and equipped, may, in a bad international climate, be considered by those who possess it—and with sincerity—not as an instrument of aggression, but as a deterrent to aggression.

The deterrent of armed force is not, of course, in the long run, the right or safe road to peace. Peace, to be enduring must be based, not on the external restraints of force, but on the internal restraints of free men and women who have the will to peace in their hearts; who live in a world where the area of collective international authority is widening; who have adequate access to information on which to judge rightly the issues of foreign policy, and, above all, who have the power to control their governments rather than to be controlled by them. Some day, peace must be based on the truly firm foundation of an open, cooperating, free world community, where men and women of all lands will trust each other, because, among other things, they will be allowed to get to know each other; where they will be permitted to exchange ideas and opinions without the interference of an all-powerful internal propaganda machine.

Until we have international trust founded on this kind of understanding, the United Nations atomic policy must be based on something more than the unverifiable pledge of member governments that atomic energy, under national control, will not be used for war. Without international confidence, pledges against war, or methods of war, are useless and often worse than useless.

Acceptance of the validity of this principle is the reason why the majority of the Atomic Energy Commission, and the majority of the Assembly, have insisted on effective controls, on effective safeguards, as the prelude to prohibition, temporary or permanent.

The Soviet Delegation tell us that they too want effective control. But it is at facts, not at words alone, that we must look, and the facts of the Soviet position in this matter suggest to us that their acceptance of effective control is based on a distortion of the meaning of those words.

The Soviet proposals for control admit only of fixed periodic inspection, and even that inspection is merely of such facilities as the national governments concerned may choose to declare to an international authority. The Soviet proposals also include, I admit, special investigations, when there is evidence of illegal activity. But how is such evidence to be obtained? If we had enough confidence to convince us that it would be given automatically by every national government to an international agency, then we would have so much confidence that we would not need any international control at all.

The Soviet provisions regarding inspection seem to us, in short, to be simply not good enough to accomplish the purpose which we all have in mind.

The leader of the Soviet Delegation, Mr. Vishinsky, who has a very penetrating mind, made some interesting observations the other day, in the First Committee of this Assembly on the inadequacy of periodic inspection. Discussing in the course of the debate on the Greek question, the possibility of confirming by inspection that the Albanian authorities had interned and disarmed Greek guerrillas who had fled to their territory, Mr. Vishinsky said (I quote from the verbatim record):

> "You say: well, then we have no guarantees that these partisans may not rise again and suddenly crop up in our territory. If so, what guarantee do you have that you (that is, the International Commission) will not be shown several thousand interned persons, and as soon as the Commission will leave, they will be permitted to arm and will be led into your territory? What guarantee do you have against that? What does this mean, disarmed and interned? Disarmed means that they were deprived of their weapons. Right? If they are deprived of their weapons today, what safeguards do you have, to follow your own argument, that they will not be given an opportunity tomorrow, to re-arm?"

I suggest therefore to the Soviet Representative on the Atomic Energy Commission and on this Committee that the same principles of inspection apply to control in the atomic field, though the consequences of the evasion of ineffective control would be immeasurably more important.

Let me give one other example of what appears to be if I understand it right—the Soviet Government's idea of inspection. Last month the Security Council was discussing a proposal, worked out by the Conventional Armaments Commission, to exchange information on national armaments, as a first step to working out an agreement on balanced disarmament. This proposal contained a provision for verification of the information, by international inspection. This provision was attacked by the Soviet Delegation on the grounds that it would amount to international espionage and an infringement of national sovereignty.

Our position is that the only kind of inspection which will be adequate to convince people that international control plans and policy are observed is that which gives far-reaching powers to the inspectors, while providing against the abuse of those powers. They, the inspectors, will be the agents of the international conscience and the international community, and no government, which is sincere in this matter of international control of atomic energy, as we all are, would want to restrict or restrain them so that they could not discharge their duties efficiently.

There is another principle in our resolution, and I am talking not only of broad principles, which does, I admit, involve a derogation from national sovereignty. Our resolution says that national control and operation of atomic energy facilities is a danger to humanity. Believing this, we agree that there should be international operation. This aspect of the subject will, no doubt, be thoroughly discussed in this debate. Here I would merely state that if, notwithstanding the special danger from the ease by which atomic energy can be diverted from productive to destructive use, it can be shown that national operation with complete 100 per cent inspection would not be a menace to security, then we should be glad to re-examine the position. So far, after many months of hard and detailed study, we have not been convinced that this is the case. I would point out also that international operation and management is not the same as ownership, in the individual or national meaning of that word. The international operating agency would be the trustee of the nations who had agreed by treaty to its establishment and to its powers, and it would distribute the products of its operations for peaceful use in a manner determined by treaty or convention.

It is, I suggest, absurd to argue—as the Soviet Delegation has argued—that such renunciations of national sovereignty—if you wish to call them that—are a sacrifice or a humiliation to any state which believes in international cooperation and collective security.

Acceptance by agreement of international control and operation of atomic energy facilities and full international inspection to ensure that agreements made are being carried out, that is no surrender of anything. On the contrary, it is a great step forward towards confidence and peace. This is not losing sovereignty; it is using sovereignty. It is not a loss; it is a gain. To think and to act otherwise is to fly in the face of all the experience of this century, where the progress we have made has been in the direction of widening the area of international authority. Our very presence here today proves that.

Insistence on reactionary concepts of sovereignty is not good enough in the modern world and it has been expressly disavowed in the last paragraph of our resolution which pledges all nations to renounce the "individual exercise of such rights of national sovereignty in the control of atomic energy as are incompatible with the promotion of world security and peace". World security, everyone now admits, requires international control of atomic energy and by our resolution, rights of national sovereignty must not be permitted to stand in the way of such control. Surely, no one can refuse to accept that principle. To put it another way, in this resolution we state in effect that in the field of atomic energy we can have no solution that does not involve a willingness on the part of all governments to exercise their rights, cooperatively rather than individually. No amount of double talk or sophistry can obscure the essential truth of this statement. If any delegation, by insistence on a reactionary and negative interpretation of national sovereignty, frustrates the effort we are making to ensure that atomic energy shall be used only for peaceful purposes, it will bear a very heavy responsibility.

The final principle which I want to mention, and which underlies the resolution which we are putting forward, is that we must not give way to despair or defeatism in this matter. It may even well be that the development of atomic energy in the U.S.S.R. may hasten agreement, by giving the rulers of that country more knowledge of the fateful implications for good or for evil, of this power, and more understanding of the scientific processes which any adequate system of control must take firmly into account. As Soviet knowledge and experience grows, and as our own sincere desire to find an agreed solution becomes understood, the Assembly and the Soviet plans may be brought closer together.

This process might be facilitated if the permanent members of the Atomic Energy Commission could examine in greater detail than heretofore the positive and constructive side of atomic energy development. There is, of course, much still to be learned in this field, but it is clear already that this development holds the promise of great good for mankind. The secrecy which must surround this subject as long as security considerations remain paramount will, of course, interfere with such an examination. Nevertheless, even with this limitation, some valuable work could be done. We could at least find out how political insecurity hampers the development of atomic science; hinders the spread of knowledge, and the sharing of facilities among those nations most in need of technical assistance and industrial development. To these nations the promise of atomic energy applied to the arts of peace is of particular importance. To them, there should be great hope in the international cooperative effort for the peaceful exploitation of such energy, which the "majority plan" provides.

I have suggested that this Committee in dealing with the present difficult situation should be guided by certain considerations—keeping the door open; keeping our minds open; maintaining our sense of responsibility and refusing to gamble with the peace and security of the men and women, all over the world, whom we here represent. I have stressed the dangers that would arise if we should mislead the world.

It seems to me, however, that we must not only avoid misleading world public opinion. We must seek positively to inform it on this vital subject. In this connection, I would commend, for careful study not only by delegates here, but by people everywhere, the statement recently submitted to the Assembly by the Representatives of China, France, the United Kingdom, the United States and my own country. This document records our views on the results of the consultations held during the past few months with the representatives of the Soviet Union on atomic energy. It represents, I think, the clearest short presentation yet made on this very difficult topic. It is not in any sense the last word, but it would make a good starting point for those who wish to learn something about the background and the present situation in this field. This basic knowledge, may I suggest, form a starting point for new ideas, from new sources, which may help us in our further work.

A great atomic scientist, Dr. Leo Szilard, who watched the successful experiment which heralded the large scale liberation of atomic energy later said:

> "That night there was very little doubt in my mind the world was headed for grief."

But in more hopeful vein he added:

> "Politics has been defined as the art of the possible. Science might be defined as the art of the impossible. The crisis which is upon us may not find its ultimate solution until the statesmen catch up with the scientists, and politics, too, becomes the art of the impossible. This, I believe, might be achieved when the statesmen will be more afraid of the atomic bomb than they are afraid of using their imagination, because imagination is the tool which has to be used if the impossible is to be accomplished."

Let us hope that in our search for the solution of the problem now before us in this Committee we may show both imagination and courage. As one step towards that solution, my Delegation has the honour to support the resolution which has been submitted in the name of France and Canada.

Appendix 4

General Assembly Resolution, November 23, 1949: Atomic Energy

(Vote: 49 in favour (including Canada), 5 against, 3 abstentions)

The General Assembly,

Recalling its resolutions 1 (I) of 24 January 1946, 41 (I) of 14 December 1946 and 191 (III) of 4 November 1948,

Aware that atomic energy, if used for peace, will lead to the increase of human welfare, but if used for war may bring about the destruction of civilization.

Anxious to free humanity from the dangers which will continue to exist as long as States retain under their individual control the development and operation of atomic energy facilities,

Convinced that an international cooperative effort can avoid these dangers and can hasten the development of the peaceful uses of atomic energy for the benefit of all peoples,

1. *Urges* all nations to join in such a cooperative development and use of atomic energy for peaceful ends;

2. *Calls* upon Governments to do everything in their power to make possible, by the acceptance of effective international control, the effective prohibition and elimination of atomic weapons;

3. *Requests* the permanent members of the United Nations Atomic Energy Commission to continue their consultations, to explore all possible avenues and examine all concrete suggestions with a view to determining whether they might lead to an agreement securing the basic objectives of the General Assembly in this question, and to keep the Atomic Energy Commission and the General Assembly informed of their progress;

4. *Recommends* that all nations, in the use of their rights of sovereignty, join in mutual agreement to limit the individual exercise of those rights in the control of atomic energy to the extent required, in the light of the foregoing considerations, for the promotion of world security and peace, and recommends that all nations agree to exercise such rights jointly.

Appendix 5

Canadian Statement, Political Committee, November 15, 1949: Essentials of Peace

Mr. Vishinsky devoted a considerable amount of his time in his speech yesterday to the address made by the head of the Canadian Delegation at the opening of this Assembly. The importance and the validity of that speech were apparently fully appreciated by Mr. Vishinsky, for it certainly aroused the Foreign Minister of the Soviet Union. All that I have to say for the moment, in reply, is that nothing was said by Mr. Vishinsky which even he would regard as an adequate answer to what Mr. Pearson had said. Certainly, abuse and oratorical emphasis do not provide an answer. There is a saying which applies to this situation — "If you wish to disturb a man's equilibrium, tell him the truth." That is exactly what Mr. Pearson did. That is exactly what Mr. Vishinsky did not like.

The Soviet resolution and the vigorous statement with which Mr. Vishinsky has supported it has had at least one good effect. It has drawn our attention to the existence in the world of concern and even fear lest the unsolved problems in international affairs lead us into another war. Mr. Vishinsky could quite easily have drawn this point to our attention without launching an attack of unparalleled violence against two of the world's great powers. We already know that Mr. Vishinsky does not like the Governments of the United States and the United Kingdom. Neither he nor any of those associated with him in the Government of the U.S.S.R. has ever concealed for a moment the fact that they regard these Governments as evil and they confidently look forward to the day when they will be destroyed. He has made it equally clear that he holds this attitude also towards all the rest of the world, except for the small and uncertain number that votes with the U.S.S.R. on all occasions. Mr. Vishinsky did not need to put a special item on the agenda of the United Nations in order to tell us this. He has already found innumerable opportunities in our discussions, no matter what the item on the agenda, to inform us that all the world's ills can be attributed to the men who sit in Washington and the men who sit in London.

Mr. Vishinsky would have served us much better, since he insists that we consider what he calls the preparations for a new war, if he had told us in a sober and objective manner what he regards as the major issues in world affairs which threaten the peace, and if he had given us some practical suggestions of ways in which these problems could be solved on a basis of compromise and negotiation. We should probably have disagreed with his analysis, and I feel sure that we should probably also have had many reservations about his suggestions for settlement. If, however, these suggestions contained the slightest indications that some flexibility existed in the Soviet position on any of the problems which we now have reason to fear, my Government, at least, would certainly have put its full weight behind any process of negotiation by which settlements might be reached. This would have been a practical and substantial contribution towards relieving the fears which Mr. Vishinsky has drawn to our attention by putting this item on the agenda.

We must regret, therefore, that all we have before us in the Soviet resolution is a proposal in the most general terms for a pact of peace amongst the five permanent members of the Security Council. It seems strange that in asking these states to join his country in a pact of peace he has denounced two of them, in the text of his resolution, and again in his statement, in the most violent terms. This is scarcely the method best calculated to create the confidence that would give substance to the treaty he proposes. Does he really expect that a pact signed under these rude auspices will help to keep the peace?

The signature of the Foreign Minister of the U.S.S.R. already appears, alongside those of the Foreign Ministers of other great powers, in a whole series of documents which contain the pledge, either in general terms or in particular terms, that international problems will be settled peacefully. We do not need any more signatures: we need some settlements. If Mr. Vishinsky wants peace all he needs to do is to call upon us to use the instruments for peace already in our hands; the best way in which to make that call would be to put forward concrete proposals about specific problems that gave some hope of a negotiated settlement, based on mutual confidence and tolerance.

We can only conclude that Mr. Vishinsky has put this resolution forward and has opened this discussion not for the purpose of strengthening peace at all, but for quite a different purpose. He has given himself the opportunity again of putting on the stage his familiar comic misrepresentation of Western civilization and, in particular, of the policies of the Governments of the United States and the United Kingdom. This form of entertainment has some of the qualities of the hall of mirrors at a country fair. The Western Powers are sometimes made to appear thin from the evils of a shaky economic system or, alternatively, fat with their gluttonous exploitation of each other's resources. Sometimes they are so tall that they dominate the world, and sometimes so short that their pygmy-like power or influence can be treated with contempt and ridicule.

What can we take from all this? Mr. Vishinsky has found from experience that the platform of the United Nations gives him a good opportunity to put on this familiar act. To him, therefore, it does not really matter what happens during this debate. He does not care what reply is made to his speeches. He is not troubled about the form of resolution we finally adopt. All he wants is to get something on the record. He is not concerned if other delegations here challenge the distorted and even dishonest analysis he gives of world affairs. The only thing he cares about is that the Communist press the world over should carry the account of Mr. Vishinsky, unchallenged and uncontradicted, sitting in the committee room at Lake Success, telling the rest of us that we are to blame for the fears which grip the world. Perhaps the best judgment to make on this performance is one taken from the Moscow newspaper *Izvestia* of October 23 last. In that journal on that date a correspondent, signing himself "Observer", said:

> "It has long been known that abuse on the lips of a statesman is a sign not of strength but of weakness before historical facts."

We could, therefore, dismiss as inconsequential propaganda the whole debate which Mr. Vishinsky has commenced. But instead of doing that, let us try to take it seriously and really talk about the things which Mr. Vishinsky has taken as the pretext for his attacks on the Western world. The real problem is not the preparations for a new war. The real problem is the fear and insecurity which lies like ice in the hearts of men everywhere. I wonder if Mr. Vishinsky will listen when we tell him what our reasons are for having this fear. In a recent statement in this Committee, when the Greek question was under discussion, Mr. Vishinsky said that he was in favour of compromise, but that you could only compromise upon wrong, you could never compromise upon right. His remarks carried a strong implication that he and his Communist sympathizers in the world are always right. If he clings to that attitude, there is, of course little hope that we can get beyond the stage of uneasy and distrustful watchfulness that now characterizes relations between Communist states and the rest of the world. But if he will admit for a minute the validity of some of our misgivings, then we might begin to take the first gradual steps towards understanding. It is in this hope that I proceed to tell him now some of the things that trouble us in the Western world when we look into those dark areas which are dominated by the Soviet Government, from which we are so systematically excluded, which we long to know but are prevented from knowing, with which we wish peace, but from which we receive a constant stream of abuse.

The first thing that must continually be in our minds is the attitude of the leaders of the Soviet State towards war. The philosophy of communism, as we understand it, is based upon the theory that war between communist states and the non-Communist world is inevitable. I know that leaders of the Soviet State from time to time deny this doctrine, and I should not be surprised to hear Mr. Vishinsky deny it again here.

At the same time, however, he will insist that the Soviet State is organized on the principles of Marx and on Lenin. And Lenin, in the Russian edition of his Collected Works, Volume XXIV, page 122, states:

> "We are living not merely in a state, but in a system of states, and it is inconceivable that the Soviet Republic should continue to exist for a long period side by side with imperialist states. Ultimately one or the other must conquer. Meanwhile, a number of terrible clashes between the Soviet Republic and the bourgeois states is inevitable. This means that if the proletariat, as the ruling class, wants to and will rule, it must prove this also by military organization."

Unless, therefore, Mr. Vishinsky and his colleagues are prepared to state categorically that the Communist analysis of history and of the relations between Communist and non-Communist states is false, they must believe in their hearts that one day, if they ever get a chance, they will wage war upon the rest of the world. Take, for example, the following quotation, dated October 24, 1946, from the Soviet newspaper, *Red Fleet*, which, as Mr. Vishinsky well knows, speaks with an official voice in the U.S.S.R. in a way that no Western publication does for its government:

> " . . . war finds its origin in class society founded on private property and . . . war will disappear only when private property and antagonistic classes are destroyed . . . As a consequence, the task of the Soviet people in the field of internal policy is to fight for the further increase of its economic and military might."

Those who really prepare for war are those who believe in its inevitability. We do not believe that war is inevitable: it is a basic principle of our political philosophy that there is no political problem which cannot be solved by discussion, by negotiation, by compromise, by agreement. According to our beliefs, war becomes inevitable only when some nation determines either that it will get what it wants or resort to force. We think the same way about civil war. Our domestic political system is based on the principle that no individual or group in the community will be permitted to have his way by force.

I know that Mr. Vishinsky and his colleagues will be cynical about this aspect of democracy. Their cynicism means only that they do not believe it is possible to govern with the freely expressed consent of the people who are governed. Their own political machinery excludes the possibility of political opposition and provides no means by which the strains and tensions within their society can find expression.

Under the system in the U.S.S.R. it is not possible for a man to make his own decisions. He must accept what is called the party line, which means the decisions handed down by the dictators. It is considered dangerous to the state if a man has an active conscience of his own: such an individual conscience is considered a danger to the rulers, because there is a state conscience. Similarly, personal moral and political convictions are considered dangerous, and a highly organized and pervasive state propaganda system seeks to substitute, for the free mind of man, the pattern of state-controlled thought.

The Soviet Delegates may not really know, therefore, what we are talking about when we speak of government by negotiation and compromise, either domestically or in international affairs, since they consider that force is an inevitable aspect of their government at home. It is not surprising that they also accept the inevitability of conflict in world affairs. The point I am making is of great practical importance. We believe that every problem which now troubles the world can readily be settled. If however, the leaders of the Soviet Union are convinced that war must come, and are teaching their people that war must come, then our hopes are indeed illusions. If the rulers of the U.S.S.R. could bring assurance to the peoples of the world on this point, they would be doing more to strengthen peace than could be accomplished by the signing of a dozen pacts.

Mr. Vishinsky says that he wants peace. But he turns his powers of vituperation—and I must admit that Mr. Vishinsky is very good at vituperation—against all nations who join together for collective security against aggression. Mr. Vishinsky seemed particularly bitter about the North Atlantic Pact. This Pact amounts to a declaration, by a group of peace-loving states, that an attack on one will be treated as an attack on all. It is not aimed against any specific country: it is aimed against any state which commits aggression. Mr. Vishinsky's vituperation on this subject reminds me of the proverb:

"The wicked flee when no man pursueth."

I can assure Mr. Vishinsky that no one who does not intend to commit aggression, or who does not plan to dominate the territory and people of other countries, need have any fear of the North Atlantic Pact.

I will tell Mr. Vishinsky just what the North Atlantic Pact does mean. Let me quote a statement delivered in the Canadian House of Commons, on March 28 of this year, by Mr. St. Laurent, my Prime Minister:

> "The purpose of the treaty is to preserve the peace of the world by making it clear to any potential aggressor that, if he were so unwise as to embark on war he might very well finish up in the condition in which the Kaiser found himself after the first great war. He might very well find himself in the position in which Hitler and Mussolini found themselves after the second terrible war. They were not told in advance what they would have to take on and overcome. I think it is fair, both to ourselves and to any possible aggressors to tell them in advance that, if they attempt anything, they will have to overcome those who were great factors in preventing the realization of the hopes of the Kaiser and of Hitler and Mussolini."

No, Mr. Vishinsky, the North Atlantic Pact is not a threatening factor on the international scene. On the contrary, it is a stabilizing factor—one of those instances of cooperation among nations through which free countries believe that they can find security and progress in a troubled world.

The Soviet Government, I suppose because it prefers the maximum division, isolation, and hence weakness, among all peoples outside its own borders, criticizes these efforts to organize collective security—just as it stands aloof from efforts, through the specialized agencies, to organize collective prosperity and welfare in the economic, social, and cultural fields.

This Soviet rejection of cooperation among the nations troubles us profoundly.

Let me given an example, in a field to which the Soviet resolution itself calls our attention. Several times during the past few days Mr. Vishinsky and his representatives have reiterated, in the Ad Hoc Committee of this Assembly, their refusal to cooperate with the rest of us in a world-wide organization to develop atomic energy for peaceful purposes, and to ensure effectively the prohibition and elimination of atomic weapons.

Mr. Vishinsky explains this refusal by asserting that international cooperation in this field would be incompatible with Soviet sovereignty. He says that a United Nations atomic control agency would be nothing more than a super-trust dominated by the United States.

This charge is of course quite untrue: but it may throw a revealing light on Mr. Vishinsky's mind, and the minds of his colleagues in the Soviet Government. They seem obsessed with the idea of domination: their internal government, it seems to me, is based on the concept of dominating rather than serving the Russian people. And they seem incapable of imagining an international organization which they do not dominate, unless it is one which would dominate them. Is this delusion, that they must dominate or be dominated, the real explanation of Soviet opposition to international organizations in which they do not have a veto?

True peace, Mr. Vishinsky, involves true community. Community is a matter of give and take: it is a matter of mutual service and understanding. Domination has nothing to do with it.

This refusal to cooperate with the rest of the world to control the fateful powers of atomic energy involves a grave responsibility. Mr.

Vishinsky knows this. He therefore does not reject openly the principle of international cooperation for atomic control. But he seeks to limit it so drastically that his proposals have seemed to every non-Communist country which has examined them utterly ineffective. Frankly, the Soviet proposals for atomic energy control have seemed to us a cynical and heartless trick. If they are not intended to be so, then I would be grateful if Mr. Vishinsky would reassure us on this point.

For example, will Mr. Vishinsky tell us now that he is prepared, on a basis of reciprocity, to allow international inspectors to go anywhere, at any time, in the Soviet Union, to the extent necessary to satisfy themselves and the world that no clandestine operations are taking place for the production of atomic explosives?

Is Mr. Vishinsky prepared to accept quotas, if other nations will also do so, on the amount of nuclear fuel to be produced in his territory?

Is Mr. Vishinsky prepared, as the rest of us are, to accept limits to the size and nature of atomic energy facilities to be maintained in his territory?

Is Mr. Vishinsky prepared, as the rest of us are, to give up the right of his Government to act alone to produce and possess atomic explosives, so that the world may have confidence that such explosives can never be used in a surprise attack on the cities of men? I ask these questions in all seriousness. I know that Mr. Vishinsky stated that he will allow international inspectors to visit, at periodic and pre-arranged times, such atomic energy facilities as he may choose to declare to an international agency. Is he prepared to go beyond this, as we are, so as to satisfy us, as we will satisfy him, that there can be no evasions of the prohibition of atomic weapons?

If Mr. Vishinsky can answer these questions in the affirmative then this debate will have taken humanity a great step forward toward peace.

If he cannot so answer them, then we are rightly apprehensive. For we cannot depend on anyone's unverified word in these matters—nor do we ask others to accept our unproved pledge.

The peoples of all countries, and the governments of most countries, in which I certainly include my own, want disarmament. We want complete disarmament in the field of atomic weapons, and very substantial disarmament indeed in the field of conventional weapons. Yet we cannot disarm unilaterally. We learned in the 1930's that when democracies disarm, in the face of totalitarian dictators, they may encourage such dictators to commit aggression. Humanity learned also in the 1930's, that honeyed words and assurances of peaceful intentions from dictators are not enough. In the 1930's the world paid too much heed to such assurances, and the false sense of security thus engendered, proved to be the precursor of war.

We cannot afford to gamble with international security. We cannot afford to disregard the fear in men's hearts. That fear must be allayed not by peace resolutions, but by peace policies, on the part of *all* great nations.

That is why we seek to link the prohibition of atomic weapons with the establishment of effective control. That is why we link the question of reducing conventional armaments with proposals to establish methods of inspection and verification.

When Mr. Vishinsky rejects such effective controls, as he did last week in the Ad Hoc Committee, and when his representatives veto proposals for verification of armaments, as they did last month in the Security Council, we cannot help wondering at his motives.

There is a limit to chicanery. But did Lenin believe there was such a limit? Mr. Vishinsky will recall that Lenin, in his work entitled "The Infantile Sickness of Leftism in Communism, said:

> "It is necessary . . . to use any ruse, cunning, unlawful method, evasion, concealment of the truth."

The experience which most of us here have had with communists in our own countries suggests that these principles, laid down many years ago by Lenin, are all too often applied as a matter of policy by that party which seeks to substitute nihilist materialism for the moral and religious basis of free civilizations.

We must also be apprehensive about a political and economic system which threatens the freedom of people who live within its reach. What are we to conclude from the accounts which were given in this Assembly by representatives of Yugoslavia of the merciless economic exploitation to which the Yugoslav people were subjected in the joint commercial enterprises which existed between the U.S.S.R. and Yugoslavia? What are we to conclude about the announcement made only this week that a Marshal of the Army of the Soviet Union had become the Minister of War in Poland? Are these to be taken as normal manifestations of the free and friendly relations between equal and sovereign people?

In a recent interview with Mr. C. L. Sulzberger of the New York Times a Communist leader in the Free Territory of Trieste, Signor Vidali, made the following statement concerning Marshal Tito. He said:

> "I speak of him as a man who once belonged to the Communist movement and knew that there is one basic law—that is our faith in the Soviet Union, whose Socialist party has more experience than any other in the struggle. He knew very well that in the history of our movement anyone who began to fight against its leadership inevitably joined our enemies.
>
> "He destroyed the true Communist party and made a personal apparatus of it. The touchstone of a man's progressiveness is his attitude toward the Soviet Union."

The more we contemplate this kind of relationship between the Soviet Union and the small states on its borders which lie within its power, the more we are convinced that in these circumstances lies a real danger to the peace. Bitterness, resentment and hostility are created when relations between neighbours are based on force or the threat of force. And when bitterness and hatred prevail, there can be no stability. Twice already in this century, great wars have started because of unstable conditions in the areas which lie on the borders of the Soviet Union. The U.S.S.R. in endeavouring to force everyone else out of this area, has taken upon itself the responsibility for the preservation there of peace. If from the *rule* of force there comes eventually the *use* of force, and we are once again confronted with violence in the border lands between the U.S.S.R. and Western Europe, those who are responsible will face a heavy accounting for history.

This Soviet policy of seeking to dominate its neighbours, is merely the extension to the international plane of the Stalinist principle that the leadership of the Communist party of the Soviet Union must dominate the body and soul of every member of every Communist party throughout the world. Puppet governments are the logical fulfilment of the totalitarian fifth columns which the Soviet rulers have sought to establish in every free country on the earth. Many people, including even many rank-and-file

Communists, think that the basic principle of Communist parties lies in socialist ideals. This is not so. The basic principle is what they call "party loyalty", and which in Communist movements means 100 per cent subservience to the party bosses, who must themselves be 100 per cent subservient to the rulers of Russia.

A former editor of the Daily Worker, Louis Budenz, in his book "This Is My Story", at page 234 wrote:

> "The first requisite for a Communist is to understand that he is serving Soviet Russia and no other nation or interest. Never will he be permitted to express one word of reservation or criticism of the Soviet Government, its leaders or their decisions. Whatever they say or do is always 100 per cent right, and America can be right only by being in complete agreement with the Soviet Union. Never, during the twenty-five years of its existence, has the Daily Worker deviated from that rule; never has it ceased to prostrate itself before Soviet leadership."

Since Mr. Vishinsky has raised this question of the basic principles necessary for peace, I must take this occasion to tell him that a major contribution which his Government can make, is the disbandment of their fifth columns in other countries. It is abhorrent that any group of rulers should seek to dominate the minds and souls of men, and to demand that complete subservience which is due only to God. For the Russian people, who suffer under this domination, we must all feel pity. But when these Russian rulers extend their pretensions to other lands, and seek to claim the subservience of the citizens of other countries, these pretensions become a threat to the peace of the world.

We must take this occasion also to tell Mr. Vishinsky that we in the West view with growing alarm the effects of a totalitarian Communist philosophy which shuts its people off as much as possible from contacts with the rest of the world. I know that Mr. Vishinsky will tell us that the Soviet Government secludes its people because it does not like the kind of thing which happens in the Western countries and wishes to protect them from these things which it regards as evil. I cannot believe, however, that the Soviet leaders really have so little confidence in the judgment of their own people. I can only conclude, therefore, that the Russian Government finds it necessary to give to the people of Russia a completely false impression of the Western world. The only way it can get its people to accept this false impression is by shutting them off from all normal contacts with the outside world. Consequently it goes to enormous lengths to prevent its own people from leaving the Soviet Union, to prevent people from outside the Soviet Union from entering that country, to exclude from normal contacts with the Russian people even the people of the neighbouring states which it regards as friendly, such as Poland and Roumania. The Soviet Government obstructs the movement of journalists and diplomats in the Soviet world, it permits them to move only under strict limitations. It excludes the ordinary traveller. A visitor from Russia may move freely in my country, but no private visitor from Canada can even set foot within the boundaries of the Soviet Union, except in the most unusual circumstances. The ordinary citizen of the Soviet Union is denied the opportunity to read our books, to listen to our philosophers, to study our scientists, to find out for himself what the West is like. If Mr. Vishinsky is concerned about the preparations of a new war, he should remember that war grows out of fear and fear out of ignorance. The ignorance which lies within the shadow of the iron curtain is as great a menace to peace as anything in the world today. The Government of the U.S.S.R. in the most deliberate manner is misleading its people in regard even to the most elementary facts concerning life in the Western world. It is systematically portraying the democracies as determined to launch a war upon the Soviet Union. It is planting fear and hatred in the hearts of its people. It is giving these people no opportunity to correct the false picture of the world which they are being given. It is denying to the peoples of the free world, by the most systematic and far-reaching and overpowering censorship in history, the right to speak to the Russian people and to tell them of our great and genuine desire to live at peace with the people of the Soviet Union. Our basic differences are not with the Russian people themselves, of whom there are about 194,000,000 but mainly with about 3 per cent of that number who belong to the Communist party. Peace in the world, when it has existed, has been based on a community of interests amongst individual men and women which led them to adjust their differences by peaceful means. The Government of the U.S.S.R. seems determined to deny to its people the right to belong to the world community which is now rapidly developing not only amongst the nations of the world, but also amongst the individual people of the world themselves. We cannot build peace on a foundation of mistrust and fear. By continual distortion the Government of the U.S.S.R. is creating in the minds of its people a false distrust and fear of the peoples of the West. This debate itself is an attempt to stimulate such emotions. The peace of the world would really be served if, as a result of the debate, Mr. Vishinsky would return to his people and say to them "Let us build upon whatever basis of confidence there is" instead of telling them that fear and mistrust alone prevail.

Finally, Mr. Chairman, we must look with the gravest concern upon the activities of a government which dominates a vast section of the earth's surface, and which systematically isolates from that area the free play of moral, intellectual and spiritual forces upon which the Western world has grown. From roots in Hebrew and in Greek civilization, a vast and complicated civilization has developed in the Western world. Again and again this civilization has reached out and made contacts with the people of other civilizations. It has accommodated itself to these other civilizations, enriching them and being enriched by them. Now for the first time in history there is the possibility that a true world community may develop. From the most Western positions of the Soviet army in Europe, westward across the Atlantic and across the Pacific to the Eastern boundaries of Siberia, there is a vast and complex free society in which the moral and ethical values of religion play freely upon the daily operations of government, in which spiritual values are cherished rather than denied and cynically reviled, in which the free play of one idea upon another, of one political philosophy upon another, of one religious concept upon another is the basis of progress and happiness. It is only in this free environment that the individual can possibly attain a relationship with his fellow citizens which makes him truly peaceful. This is the kind of progress towards peace that we must encourage and in which we must have faith.

Cannot we remove these iron curtains? Cannot we abandon these barriers which seek to divide the people of the Soviet Union from the rest of us?

Cannot we recognize that the basic reality of international politics, as of village affairs, is the individual man and woman?

The individual is an end, not a means to an end. When this principle is abandoned, error begins—and we have not yet seen where this error may end. In 1848 Karl Marx, in the first volume of Das Kapital, wrote this:

> "I speak of individuals insofar as they are personifications of economic categories and representatives of special classes of relations and interests."

It is the beginning of sanity and wisdom, Mr. Chairman, to realize that the individual man and woman is never the personification of categories, economic or otherwise. The individual is nothing less than the image of God.

To the extent that this principle is recognized, we will be on the path to human brotherhood and the achievement of lasting peace.

The concepts which I have been discussing underlie and explain the attitude which my Delegation will adopt on the resolutions which are before us, and explain why we intend to support the draft resolution that stands in the name of the United States and the United Kingdom Governments.

In summary, I would express these concepts in political terms by saying that the General Assembly must call upon each member of the United Nations:

To renew the solemn pledges of the Charter;

To renounce all theories that war is inevitable;

To cooperate fully and loyally with every effort of the United Nations and all its specialized agencies to prevent war by removing the causes of war;

To maintain or restore the freedom of its people to communicate fully with all other peoples in the world;

To support all efforts to bring about the entire measure of disarmament in all forces and weapons consistent with security;

To accept the limitations on national sovereignty necessary for these purposes;

To pledge itself never to impose its will by force or threat of force, direct or indirect, upon another member; and,

To restore its faith in the destiny of mankind to build peace on the foundations of confidence amongst the nations.

These are ideals and objectives to which we freely subscribe and which we believe will lay the true foundations of peace.

Appendix 6

Canadian Statement, General Assembly, December 1, 1949: Essentials of Peace

The debate on this item which the Soviet Delegation placed on the agenda of the Assembly—and which is now coming to an end—has ranged far and wide over the fields of history, philosophy and politics. It has explored Communist dogma. It has led us through the intricacies of Soviet interpretation of their own foreign policy. It has presented us anew with the familiar, and to us unconvincing Communist critique of the social, economic and political system of the non-Communist world. It has also, of course, produced the usual rude charges that those of us who don't agree with this critique, are "ignoramuses", "senseless babblers", "professional slanderers", etc., etc.

The debate—here and in the First Committee—has also produced, among many other things, a great deal of confusion. Some of this is due to deliberate efforts to confuse. Some is due to the fact that the Communist delegations have presented us with contradictions and inconsistencies.

For instance, we have listened to Mr. Vishinsky denounce as useless the Kellogg Pact and, at the same time, urge in even more general and unspecific terms than those used twenty years ago, the adoption of a new pact amongst the five Great Powers. We have heard him tell us that Marx prophesied that a capitalist society led inevitably to crises which in turn led inevitably to war. The correctness of these prophecies, he said, could be read in history. On another occasion, however, Mr. Vishinsky, referring to the future of the non-Communist world, said, and I quote his words: "I am no prophet. Marx was no prophet either." On many occasions Mr. Vishinsky went to great lengths to deny the fear that the Communist party believed in the inevitability of force and violence to bring about the social and political changes in which it believes. On another occasion, however, and again I quote his exact words, he said that, "now both in the United Kingdom and in the United States, the prior condition for any people's revolution is the destruction (not *change*, but destruction) of the governmental system set up in those countries before the Great War".

Yet, in the face of these words and others of the same kind used by contemporary Communist leaders, in the face of the violent and warlike pronouncements of the Cominform, especially those hurled at the Government of Yugoslavia, Mr. Vishinsky asks us to believe in the lamblike qualities of Russian revolutionary communism. Naturally we don't believe this, and we are not deceived by it. Nor are the peoples of the world deceived except those whose minds and souls are drugged and deadened by propaganda from a state machine which prevents them securing information from any other source; a machine, which when it sees fit, can alter for Soviet consumption even the text of speeches given here by the Foreign Minister of the U.S.S.R.

Communist delegations have been accusing us—and I have been honoured by specific inclusion in this list—of trying to divert attention from their peaceful intentions by introducing confusing and irrelevant issues. To them any issue which is embarrassing is irrelevant just as any quotation which is disturbing is "torn out of its context". But what *is* relevant to Mr. Vishinsky; what coherent pattern emerges from the hours and hours of talk in this debate which we have heard from the Communist delegations? What does Mr. Vishinsky really want? Essentially it is this: that we should brand the United States and United Kingdom as warmongers; then, so branded, they should be embraced by the U.S.S.R. in a pact of peace and, touched by this fraternal embrace, they and the other democratic countries should disarm unilaterally, without any adequate assurance that the most heavily armed country in the world will put into effect similar measures of disarmament or that it will cooperate in a sincere and earnest desire to close the gap that now divides the world.

This kind of "propaganda disarmament" has been exposed so many times as a manoeuvre, not only futile for, but even dangerous to, peace, that there is little to be added. It has never been exposed more effectively than in the following paragraph from the official Soviet History of Diplomacy published in the U.S.S.R. in 1945. That passage translated into English reads:

> "To the same group of examples of the concealment of predatory ends behind noble principles also belong the instances of the exploitation of the idea of disarmament and pacifist propaganda in the broad sense of the word for one's own purposes.
>
> From time immemorial, the idea of disarmament has been one of the most favoured forms of diplomatic dissimulation of the true motives and plans of those governments which have been seized by such a sudden love of peace. This phenomenon is very understandable. Any proposal for the reduction of armaments could invariably count upon broad popularity and support from public opinion. But, of course, he who proposed such a measure always had to foresee that his intentions would be divined by the partners in this diplomatic game."

We must, however, do our best to draw some permanent benefit from the long and arduous debate in which we have been engaged. With this in mind, I wish to draw the attention of the Assembly to two or three points which have emerged and which seemed to me to point to practical measures which could be taken to restore the confidence which we so greatly need.

When he opened his remarks in the Political Committee, Mr. Vishinsky spoke of a reference which I had made to the growth of what I termed a new imperialism in the East of Europe. This was one of the occasions on which he said that I had been trying to confuse the issue of the debate. If, however, Mr. Vishinsky really wishes to do something about the preservation of peace, he should persuade his Government to pay some attention to the fear in the world of this new imperialism; to the concern—deep and widespread—about the methods which it adopts to spread its influence, and the threats to peace which are inherent in those methods. Within the U.S.S.R. sphere of influence—the new Soviet Empire—have been included many peoples who previously had their own free governments: Esthonians, Latvians, Lithuanians, Poles, Roumanians. Not all the impassioned eloquence of Mr. Vishinsky or Mr. Manuilsky can convince us that these peoples, of their own free will, happily and confidently have entrusted their destinies and their persons to the U.S.S.R. The fact that the Soviet Government find it necessary to cut off their inhabitants from all normal contacts with other countries; to distort and manipulate information about other peoples in order to create misunderstanding and fear is convincing evidence to the contrary.

The methods used to create and maintain this Soviet sphere of influence have converted it into one of the most unstable, restless and explosive areas of the world. That is a pressing danger to peace, the evidence of which is before us every day. Thousands of people from the Baltic communities have had to be expelled from their homes; a Marshal of the U.S.S.R. has become the Polish Defence Minister; the leader of the Hungarian Church has had to be imprisoned; a Communist Foreign Minister of Hungary has been hanged for treason; the Government of Czechoslovakia has been catapulted into a persecution of its middle classes. The Communist Governments of Roumania and Bulgaria have been engulfed in internal dissension and the people of Albania have been involved in an economic crisis which daily threatens their existence. And to complete the picture, the people of Yugoslavia have now had to stake their very lives on an effort, single-handed, to free themselves from the yoke of Soviet domination.

Mr. President, this is a frightening state of affairs. It is therefore my sincere and earnest hope that, as a contribution to the peace of the world, the Government of the U.S.S.R. will abandon this aggressive intervention in the affairs of other countries. Peoples are gaining their freedom in other parts of the world by a process of adjustment and negotiation. If the Soviet Union will relax its tight grip over the people on its borders, so that they too may work out freely their relations with their great neighbours, we shall all breathe more easily. We do not wish a third time to see the world engulfed in war because of trouble in the Balkans or in the Russian border-lands.

There are still other practical measures by which we might remove the fear of war. I am not sure from his many statements whether or not Mr. Vishinsky really believes that it is possible to organize peace. Again and again he told us that he was convinced that the rest of the world was determined to make war upon the Soviet Union. If he believes that the fifty-four states which refused to vote for his resolution are planning an attack on his country, I do not suppose that anything we can say or do can put his mind to rest. In spite of everything he has said about disarmament, he does not even think that disarmament would bring him much comfort. On one occasion for example, he made the following assertion about Iceland, which he regards as a danger to the Soviet Union even though it is totally disarmed. He said: "As if it were necessary to have an army to be a warmonger, as if it were necessary to have naval and air forces to be a warmonger. If one went along on that basis, one could conclude that whoever has the greatest army is a warmonger, whoever has the greatest navy is a greater warmonger, and whoever has the greatest air force is the greatest warmonger. Then we could just pick and choose." Mr. Vishinsky seems by this to think that military preparations bear no relation to the evil intentions that he fears. From this one can only conclude that he considers himself in danger no matter what happens.

If Mr. Vishinsky were always as discouraging as this, there would be no point in our continuing the debate, and it would be better for us to pack up and go home. On other occasions, however, he has taken a quite different line, and seemed to indicate that it was possible for the Soviet position to be flexible and even conciliatory. At one point in our debate for example, he said the following: "I remember that at one meeting of the Committee, the Representative of Uruguay reported that in a dispute between Bolivia and Peru, 65 proposals were submitted, that the 66th proposal was finally adopted and that it removed the conflict between those two Latin American countries. If this is so, why cannot we strive, why cannot we now face all divergences of opinion, keep looking for the true road toward cooperation and the resolution of differences? Why cannot we keep hoping that we shall find the solution eventually—if we are really permeated with the desire to find it, which is the main point?" On still another occasion Mr. Kiselev asserted that Marx and Lenin believed in "the possibility of good neighbourly or friendly relations between the Soviet Union and capitalist countries in general, and the United States and the United Kingdom in particular". He supported this argument by quoting Stalin to this effect: "We stand for peace and for the strengthening of business and commercial relations with all countries."

Now this is the kind of proposition that we understand and that we believe in. We are willing to negotiate with Mr. Vishinsky and his colleagues 66 times, or even 666 times, provided that Mr. Vishinsky really believes that there is some possibility of a firm and honest accommodation emerging from these discussions. There cannot, however, be such a settlement unless both sides, in the give and take of negotiation, are willing to adjust their positions when necessary, to write the agreement in simple and precise terms, to carry out its provisions in good faith, and to regard the matter as settled. We get nowhere, however, if negotiations are carried on in what is called "double talk" — that is, if people turn up after the negotiations are ended and assert that at the conference table they had meant something quite different from what they had seemed to mean.

Let us assume, however, that Mr. Vishinsky really means what he says when he suggests that his Government is willing to go steadily and patiently to the end of the long road of negotiation by which international problems are settled. This is hopeful news. It will mean more to the world than any number of Five-Power pacts, for it will enable us to set about solving the many outstanding problems which have been left over since the end of the war. The most dangerous feature in the immediate situation is that we may be led to think that it is hopeless to try to make this effort. History, meanwhile, is adding new complications to these problems, hardening the moulds that must be changed, giving permanency to situations which we all regarded as temporary. These problems can be found at every point on the circumference of the Russian sphere of influence, and in all the major issues that stand between us. They cannot be settled without concessions on both sides. The most useful contribution that Mr. Vishinsky and his Government could make to the maintenance of peace would be to come forward with practical suggestions which he honestly thinks might form a basis for reasonable negotiation for the settlement of any one of these outstanding problems. Even if we could settle *one* of them, the temperature of international relations would start to go down, the fevers would start to abate, and the peaceful objectives which he and his friends vociferously proclaim would come within our reach.

What we lack, of course, is mutual confidence. I do not suppose that we can restore confidence solely by talking, but I think it will be useful to us all if we study the statements that have been made in this debate. Perhaps we shall at least understand one another better. From the study that I have been able to make of them so far, I am surprised to find that Mr. Vishinsky and his colleagues seem still to be obsessed with the old fear of encirclement and intervention. At one point he said with a great show of enthusiasm that six hundred million people in the world shared his views. I presume that he reached the figure of six hundred million by adding together the two hundred million people of the Soviet Union and its borderlands in Europe and the four hundred million people of China whom he now claims to be within the Communist world. Time alone will tell whether the Chinese are as zealous converts as he now assumes, but at least he is entitled to take what comfort he can out of the present circumstances. Since he reaches his figure of six hundred million people in this way, one must conclude that he regards the entire balance of the world outside this area as being hostile to the Soviet Union. Let me assure him, however, that the Russian people do have friends in the free world—not only Communist friends, but friends of all sorts who admire the courage and resourcefulness of that people and who sincerely desire to live at peace with them on the basis of mutual toleration and respect. Intervention was certainly a fact in Russian history, but it is long since dead. Why does Mr. Vishinsky feel that he must frighten people of his own country by making this ghost walk again? As for encirclement; well, we are all encircled, if we choose to look at the world that way. Surely the leaders of the Soviet Union, whose power is greater than ever before in Russian history, cannot have any real fear of encirclement. This again may be something which Mr. Vishinsky is talking about because of its effect on his own people; because of the desire of the ruling circles in Russia to hold these people together even if fears and suspicions must be manufactured for that purpose. It is an old device in history. I cannot believe, however, that this state of mind will necessarily persist. We have heard on many occasions from Soviet delegates about the great progress that is being made within the Soviet Union. If these reports are true, we may hope Mr. Vishinsky and his colleagues will soon feel able to give up the business of telling their people that the rest of the world is determined to destroy them and that they will one day abandon their customary practice of picking and choosing blood-curdling stories and reports from the free Western press for speeches in the United Nations and for circulation at home, in order to incite and frighten those who have no way of checking their accuracy or importance.

Let me conclude by quoting again from Mr. Vishinsky's remarks in the course of the present debate: "Each of us", he said, "has his own conceptions. But if we find no common ground for understanding, then of course cooperation is impossible. Is it possible to find such common ground? I submit that it is and I shall prove this, in connection with another important question which was raised here, the question of war and the question of the possible co-existence of systems with the possibility of their cooperation and of the statements of our great teachers Lenin and Stalin and the teachers of our teachers, Marx and Engels." This quotation represents the element in Mr, Vishinsky's many speeches which gives us some ground for hope. If this is what he and his Government really believe, there will be a ready response from us and there is ground for hope. But this belief must be demonstrated in deeds; in the application of these principles to our mutual problems. We accept that test for ourselves. We demand its acceptance by others. We do not find such acceptance in the denunciatory Soviet resolution before us and in the violent speeches that have been made in support of it.

Above all, we ask the U.S.S.R. to keep its Cominform from attempting to overthrow by force other peoples' governments and institutions and we remind Mr. Vishinsky of his own words "ideological intervention is wont to become military".

That statement, Mr. President, is very true and it embodies the greatest threat to peace which now exists. The Anglo-American resolution lays down principles which, if implemented, will lessen that threat and the Canadian Delegation therefore supports it and will vote for it.

Appendix 7

General Assembly Resolution, December 1, 1949: Essentials of Peace (Vote: 53 in favour (including Canada), 5 against, 1 abstention)

The General Assembly,

1. *Declares* that the Charter of the United Nations, the most solemn pact of peace in history, lays down basic principles necessary for an enduring peace; that disregard of these principles is primarily responsible for the continuance of international tension; and that it is urgently necessary for all Members to act in accordance with these principles in the spirit of co-operation on which the United Nations was founded;

Calls upon every nation:

2. *To refrain* from threatening or using force contrary to the Charter;

3. *To refrain* from any threats or acts, direct or indirect, aimed at impairing the freedom, independence or integrity of any State, or at fomenting civil strife and subverting the will of the people in any State;

4. *To carry out* in good faith its international agreements;

5. *To afford* all United Nations bodies full co-operation and free access in the performance of the tasks assigned to them under the Charter;

6. *To promote*, in recognition of the paramount importance of preserving the dignity and worth of the human person, full freedom for the peaceful expression of political opposition, full opportunity for the exercise of religious freedom and full respect for all the other fundamental rights expressed in the Universal Declaration of Human Rights;

7. *To promote* nationally and through international co-operation, efforts to achieve and sustain higher standards of living for all peoples;

8. *To remove* the barriers which deny to people the free exchange of information and ideas essential to international understanding and peace;

Calls upon every Member:

9. *To participate* fully in all the work of the United Nations;

Calls upon the five permanent members of the Security Council:

10. *To broaden* progressively their co-operation and to exercise restraint in the use of the veto in order to make the Security Council a more effective instrument for maintaining peace;

Calls upon every nation:

11. *To settle* international disputes by peaceful means and to co-operate in supporting United Nations efforts to resolve outstanding problems;

12. *To co-operate* to attain the effective international regulation of conventional armaments; and

13. *To agree* to the exercise of national sovereignty jointly with other nations to the extent necessary to attain international control of atomic energy which would make effective the prohibition of atomic weapons and assure the use of atomic energy for peaceful purposes only.

Appendix 8

Canadian Statement, Ad Hoc Political Committee, April 20, 1949: Human Rights in Eastern Europe

The Charter of the United Nations places upon member states an obligation, as one of the prime purposes of this Organization, to develop friendly relations among nations based on respect for the principle of equal rights. Sometimes these friendly relations are disturbed as a result of long-term developments rather than from sudden emergencies. That is why the Charter in various places refers to the rights and freedoms of the individual in society. History is full of examples of severe unrest and instability resulting from the activities of repressive governments which sought to take freedom from their citizens. If there are signs in the world again today that men are systematically being deprived of liberties which are recognized as essential in a stable and progressive society, the United Nations must concern itself with this situation, must point out the dangers if they are seen to exist, and must earnestly seek whatever remedy is possible.

This is the reason we are discussing today the evidences of religious persecution in Hungary and Bulgaria. Many times in history attempts have been made to subjugate the church to the service of the state. These efforts have always been a cause of suffering, of dissension and of conflict. In the end they have always failed. Recent events in Bulgaria and Hungary and indeed in other countries in Eastern Europe have given rise to anxieties throughout the world that a new effort is now being made in these countries to reduce the church to a position where it is a mere agency of government. We cannot ignore these developments.

It is a truism to say that the world is growing smaller and more interdependent every day, and what happens in regard to the observance of human rights and fundamental freedoms in one group of countries cannot be ignored by others. We believe, therefore, that whether we like it or not, sustained attacks upon freedom anywhere in the world eventually affect us all.

The nations which are represented on this Committee have specific obligations as members of the United Nations, in the words of Article 55, to promote "universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion". The word "universal" in this clause is of particular importance. Our concern for freedom must extend to all parts of the world.

It therefore falls upon us to consider the grave charges which have been made regarding events in Bulgaria and Hungary. When evidence is brought before this Organization that the Governments of Bulgaria and Hungary are making organized attempts to suppress religion, we must consider these charges and call upon these Governments with all the authority of this world Organization to abandon their assault upon one of the most precious strongholds of human spirit, religious freedom.

The evidence in regard to what has happened and is still happening in Bulgaria and Hungary is well known. Some of it has already been recited in previous statements made in this Committee. Taken together it represents a clear pattern easily discerned and understood. That pattern is the attempted subjugation of the Church to the State. Elaborate efforts have been made by the Governments of both Bulgaria and Hungary to represent their persecution of church leaders as purely domestic actions. Measures taken against churches in these countries have likewise been represented as purely domestic measures. For instance, the new law for Cults in Bulgaria or the statutes for nationalization of church schools in Hungary are described as normal and legitimate legislation for the reorganization and reform of church administration. The persecutions of leading churchmen in both countries are pictured as a necessary duty of a government to charge and bring to trial men of whatever rank or calling who are suspected of breaking the laws of their country.

There has, however, been a sequence of events in Bulgaria and Hungary indicating a deliberate policy by these two Governments against religious institutions. In Hungary, the leaders of the Calvinist, the Lutheran and the Roman Catholic faiths have undergone a systematic persecution. The Calvinist bishop, for instance, because he did not approve of a government policy towards his church, was forced to resign. The Lutheran leader and his secretary-general were taken into custody. On the trial and imprisonment of the primate of the Roman Catholic Church, I need not dwell except to say that it has profoundly shocked the conscience of the free world. In Bulgaria the pattern of intimidation and subjugation has been similar to that in Hungary, and likewise has extended to all denominations. The exarch of the Orthodox Church has been forced to resign. As we know, fifteen Protestant pastors were brought to trial. As might have been expected, of course, they were not held on grounds connected with religious profession, but on secular charges which had been conveniently produced alleging such matters as espionage, black-marketing and intrigues. They were condemned with heavy penalties, and held up to public ridicule and disgrace. By this means their followers were deprived of their religious leadership.

Unhappily the events in Hungary and Bulgaria have a significance which is wider than the particular policies of these two Governments. It is a natural outgrowth of communism which today holds these two countries in its grip. We know that in a communistic state it is a fixed principle that all human efforts, aspirations and convictions must be subordinated to the dictates and the will of that party which runs the state. It is natural, therefore, to expect that religious practice and belief should in communistic states be subjugated and brought under the control of the state. Indeed, the writings of communism are quite explicit on the subject. These, and other precepts drawn from the voluminous body of Communist dogma, show clearly why Communist states claim that they must subjugate Christian churches and seek to make them into instruments of state policy.

The people of Canada, in common with the people of all other countries where civil liberties are cherished, have been profoundly disturbed by the assault against liberty in Eastern Europe, and particularly by the prosecutions of the church leaders in Bulgaria and Hungary. The Government of Canada has already taken certain steps in association with other governments to recall to the Governments of Bulgaria and Hungary the solemn obligations which these ex-enemy states have undertaken by Treaty to safeguard the civil and religious rights of their people . . .

I know that we are all of us here pledged to maintain peace in the world by every means possible, and in particular by removing conditions which disturb the harmony of international relations. In this task we need the cooperation of all nations. But how can we perform this task effectively when the leaders of some states appear to be engaged in an assault upon essential rights and freedoms, and above all when they fail to show respect for freedom of conscience, the basic liberty upon which all others depend. Perhaps our protests and the expressions of world opinion which are heard in this Committee will fall upon deaf ears and hardened consciences. But I am sure that eventually the earnest desire of mankind to protect the freedom of conscience and of the churches through which that conscience is expressed will prevail. It is to be hoped that the present discussion in the Assembly will at least focus the attention of the Governments of Bulgaria and Hungary on the aroused opinion of the world, and we would hope this might influence their attitude and their policies.

The question immediately before the Committee is what kind of remedies should be sought for the kind of situation which has been brought to our attention. First of all, as I have suggested, there must be full and free discussion of these fundamental issues. Secondly, I believe that the Assembly should express its deep concern at the grave charges which have been made with regard to the suppression of human rights and freedoms in Bulgaria and Hungary. I believe also that the Assembly should give its support to the steps which have already been taken by the Governments which are signatories to the Peace Treaties with Bulgaria and Hungary in their efforts to find remedies through the procedures laid down in the Peace Treaties with these two states. As the draft resolution submitted by the distinguished Representative of Bolivia embodies the approach which commends itself to the Canadian Delegation, we shall give it our support.

Appendix 9

Canadian Statement, Ad Hoc Political Committee, October 4, 1949: Human Rights in Eastern Europe

The Canadian Delegation wholeheartedly associates itself with the draft resolution now before this Committee, requesting the International Court of Justice for an advisory opinion on points connected with the interpretation of certain articles of the Peace Treaties with Bulgaria, Hungary and Roumania. The resolution refers particularly to the question as to whether the diplomatic exchanges between the Governments of Bulgaria, Hungary and Roumania on the one hand, and certain signatories to the Peace Treaties on the other, disclose disputes which are appropriate for settlement under the various articles of the Peace Treaties. I do not need to recall before this Committee the contents of these exchanges, other than to say that they raise the general question of observance in Bulgaria, Hungary and Roumania of human rights and fundamental freedoms.

I would like to explain briefly the position taken by my Government with respect to this matter. On February 2, 1949, the text of a note was made public which had been sent by the Canadian Government to the Hungarian Government protesting strongly against a policy of repression and religious persecution which appeared designed to destroy religious freedom in Hungary. This note also called the attention of the Government of Hungary to the fact that this policy appeared to violate obligations to secure enjoyment of human rights to which Hungary was pledged under the Treaty of Peace of 1947. No reply was received to the Canadian note. I have listened attentively to the statement of the United States Delegate this afternoon and his reference to the shock the whole world felt at the treatment of Cardinal Mindszenty as a common criminal. I cannot overemphasize this shock—indeed the word "shock" is an understatement—the people of my country felt at this and the trials of the Protestant pastors.

On April 2, 1949, the Canadian Government associated itself with the United Kingdom and the United States in protests to Hungary and Roumania. In the case of Bulgaria, the Canadian Government requested that the United States and United Kingdom Governments inform Bulgaria that the Canadian views were similar to those expressed by the United Kingdom and United States regarding violation by Bulgaria of the clauses of the Peace Treaties providing for the protection of basic human rights.

Shortly afterwards, at the second part of the Third Session of the General Assembly, an item was placed on the agenda at the request of the Delegations of Australia and Bolivia regarding the suppression of human rights and fundamental freedoms in Bulgaria and Hungary. On April 30, as you are all aware, the Assembly adopted by a substantial majority a resolution which, among other things, noted with satisfaction the measures taken by several governments signatory to the Peace Treaties with Bulgaria and Hungary, and expressed the hope that steps should be diligently taken in accordance with the treaties "in order to ensure respect for human rights and fundamental freedoms". The resolution also drew the attention of the two Governments to their obligations under the Peace Treaties including the obligation to cooperate in the settlement of these questions. Canada voted in favour of this resolution. This question has been retained on the agenda of the present session, and we now have a further item in respect to similar violations by Roumania.

In our judgment, ample evidence is available to indicate beyond any doubt that these states have misused their power in order to deprive or curtail the individuals under their jurisdiction of their inherent natural right to their own beliefs. I need not dwell on the ruthless, arbitrary measures which these states have employed and continue to employ.

In the resolution which is now before this Committee, the question is not, therefore, whether the Governments of Bulgaria, Hungary and Roumania have been conducting activities designed to suppress the fundamental freedoms of human society.

The real question which the Committee is called upon to decide is the procedure that should be followed in order to clearly establish that the activities of these Governments constitute in fact a breach of the obligations assumed by them under the Peace Treaties. The Treaties signed by each of these Governments, Article 2 in the case of Bulgaria and Hungary, and Article 3 in the case of Roumania, obligate these states to guarantee to all persons under their jurisdiction, without distinction as to race, sex, language or religion, the enjoyment of human rights and of fundamental freedoms, including freedom of expression, of press and publication, religious worship, political opinion and of public meeting. Furthermore, Article 36 of the Peace Treaty with Bulgaria, Article 40 of the Treaty with Hungary, and Article 38 of the Treaty with Roumania, provide a machinery for the settlement of differences concerning the interpretation and execution of these Articles. Having in mind these provisions of the Peace Treaties, my Government and other countries have charged the Governments of Bulgaria, Hungary and Roumania with violations of human rights clauses of the respective Treaties.

Replies received so far reveal, however, a fundamental disagreement between the Allied and Associated Powers concerned and these three Eastern European Governments as to the interpretation of the Peace Treaties. This disagreement bears on the following points: the existence of a dispute under the Peace Treaties; the question as to whether Hungary, Roumania and Bulgaria are obligated to appoint members of the Commission provided for in the Treaties, and finally, in the event that they fail to do so, whether a two-man Commission would be competent to deal with this dispute.

At this stage, I am confining myself to the procedural problem or proposition provided for in the joint resolution. I submit, Mr. Chairman, that this problem involving basic human rights should therefore be decided by the highest international judicial body, namely the International Court of Justice. It is for this reason that the Canadian Delegation supports the resolution now before the Committee in the full understanding that the advisory opinion sought to be given by that body will be definitive, authoritative and effective.

Appendix 10

General Assembly Resolution, October 22, 1949: Human Rights in Eastern Europe

(Vote: 47 in favour (including Canada), 5 against, 7 abstentions)

Whereas the United Nations, pursuant to Article 55 of the Charter, shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Whereas the General Assembly, at the second part of its third regular session, considered the question of the observance in Bulgaria and Hungary of human rights and fundamental freedoms,

Whereas the General Assembly, on 30 April 1949, adopted resolution 272 (III) concerning this question in which it expressed its deep concern at the grave accusations made against the Governments of Bulgaria and Hungary regarding the suppression of human rights and fundamental freedoms in those countries; noted with satisfaction that steps had been taken by several States signatories to the Treaties of Peace with Bulgaria and Hungary regarding these accusations; expressed the hope that measures would be diligently applied, in accordance with the Treaties, in order to ensure respect for human rights and fundamental freedoms; and most urgently drew the attention of the Governments of Bulgaria and Hungary to their obligations under the Peace Treaties, including the obligation to co-operate in the settlement of the question, *Whereas* the General Assembly has resolved to consider also at the fourth regular session the question of the observance in Roumania of human rights and fundamental freedoms,

Whereas certain of the Allied and Associated Powers signatories to the Treaties of Peace with Bulgaria, Hungary and Roumania have charged the Governments of those countries with violations of the Treaties of Peace and have called upon those Governments to take remedial measures,

Whereas the Governments of Bulgaria, Hungary and Roumania have rejected the charges of Treaty violations,

Whereas the Governments of the Allied and Associated Powers concerned have sought unsuccessfully to refer the question of Treaty violations to the Heads of Mission in Sofia, Budapest and Bucharest, in pursuance of certain provisions in the Treaties of Peace,

Whereas the Governments of these Allied and Associated Powers have called upon the Governments of Bulgaria, Hungary and Roumania to join in appointing Commissions pursuant to the provisions of the respective Treaties of Peace for the settlement of disputes concerning the interpretation or execution of these Treaties,

Whereas the Governments of Bulgaria, Hungary and Roumania have refused to appoint their representatives to the Treaty Commissions, maintaining that they were under no legal obligation to do so,

Whereas the Secretary-General of the United Nations is authorized by the Treaties of Peace, upon request by either party to a dispute, to appoint the third member of a Treaty Commission if the parties fail to agree upon the appointment of the third member,

Whereas it is important for the Secretary-General to be advised authoritatively concerning the scope of his authority under the Treaties of Peace,

The General Assembly,

1. *Expresses* its continuing interest in and its increased concern at the grave accusations made against Bulgaria, Hungary and Roumania,

2. *Records* its opinion that the refusal of the Governments of Bulgaria, Hungary and Roumania to cooperate in its efforts to examine the grave charges with regard to the observance of human rights and fundamental freedoms justifies this concern of the General Assembly about the state of affairs prevailing in Bulgaria, Hungary and Roumania in this respect;

3. *Decides* to submit the following questions to the International Court of Justice for an advisory opinion:

> "I. Do the diplomatic exchanges between Bulgaria, Hungary and Roumania on the one hand and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of article 2 of the Treaties with Bulgaria and Hungary and article 3 of the Treaty with Roumania, disclose disputes subject to the provisions for the settlement of disputes contained in article 36 of the Treaty of Peace with Bulgaria, article 40 of the Treaty of Peace with Hungary, and article 38 of the Treaty of Peace with Roumania?"
>
> In the event of an affirmative reply to question I:

> "II. Are the Governments of Bulgaria, Hungary and Romania obligated to carry out the provisions of the articles referred to in question I, including the provisions for the appointment of their representatives to the Treaty Commissions?"

In the event of an affirmative reply to question II and if within thirty days from the date when the Court delivers its opinion, the Governments concerned have not notified the Secretary-General that they have appointed their representatives to the Treaty Commissions, and the Secretary-General has so advised the International Court of Justice:

> "III. If one party fails to appoint a representative to a Treaty Commission under the Treaties of Peace with Bulgaria, Hungary and Roumania where that party is obligated to appoint a representative to the Treaty Commission, is the Secretary-General of the United Nations authorized to appoint the third member of the Commission upon the request of the other party to a dispute according to the provisions of the respective Treaties?"

In the event of an affirmative reply to question III:

> "IV. Would a Treaty Commission composed of a representative of one party and a third member appointed by the Secretary-General of the United Nations constitute a Commission, within the meaning of the relevant Treaty articles, competent to make a definitive and binding decision in settlement of a dispute?"

4. *Requests* the Secretary-General to make available to the International Court of Justice the relevant exchanges of diplomatic correspondence communicated to the Secretary-General for circulation to the Members of the United Nations and the records of the General Assembly proceeding on this question;

5. *Decides* to retain on the agenda of the fifth regular session of the General Assembly the question of the observance of human rights and fundamental freedoms in Bulgaria, Hungary and Roumania, with a view to ensuring that the charges are appropriately examined and dealt with.

Appendix 11

Excerpts from Canadian Statement, Political Committee, November 8, 1949: Former Italian Colonies

. . . Insofar as Libya is concerned, the Sub-Committee recommends the establishment of a single and sovereign state which shall become fully independent not later than January 1, 1952. In order to assist in the formulation of the constitution and the establishment of an independent government in Libya the Sub-Committee recommends the appointment of a United Nations Commissioner and of a Council of ten members. The Canadian Delegation generally supports these proposals of the Sub-Committee. We believe that the case for the independence of Libya has already been made sufficiently well by other speakers and that it is not necessary to repeat these arguments. We also believe that the short interim period envisaged by the Sub-Committee's draft resolution is both realistic and necessary. However, we do believe that it is most desirable to leave to the people of Libya full freedom of choice as to the development of their constitution. Such freedom of choice is inherent in the concept of independence. My Delegation believes, therefore, that the General Assembly should not take any action which can be interpreted as prejudging this particular question. The representatives of the three provinces in Libya must decide themselves what form of government they wish to develop and what shall be the constitutional arrangements in force between the three territories. Such a constitution, as has already been pointed out, might be in the form of either a unitary state or a federal state, but this question can only properly be answered by the people of Libya themselves. Accordingly, the Canadian Delegation believes that the amendments introduced by the United Kingdom Delegation are practical and useful without in any sense disturbing the principles embodied in the Sub-Committee's recommendations. These amendments do, in our judgment, leave with the inhabitants of Libya a greater freedom of action in the development of their constitution than is the case with the text proposed by the Sub-Committee. For these reasons we propose to support the Sub-Committee's recommendation together with the United Kingdom amendments.

I would now like to say a few words in regard to Italian Somaliland. In the judgment of my Delegation the Four Power Commission of Investigation has made it sufficiently clear that this territory is not yet ready to assume the responsibilities of complete independence. The question, therefore, arises as to the best method of preparing the local inhabitants for self-government. In pursuing this objective we must have regard for the particular historical background of this region and for the contribution which the Italian people have made to its development. We must also recognize, I believe, that the administration of dependent areas under a single trustee has in most cases proved to be more beneficial to the people concerned than administration under a joint trusteeship. For this reason my Delegation will support the recommendation of the Sub-Committee that, during the interim period prior to full independence, Italian Somaliland should be administered by the international trusteeship system with Italy as the administering authority. We also support the principle that a trusteeship agreement should be negotiated between the administering authority and the Trusteeship Council for submission to the General Assembly; and that this trusteeship agreement should include an annex containing a declaration of constitutional principles guaranteeing the rights of the inhabitants of Italian Somaliland. In connection with this point my Delegation wishes to express its sympathetic interest in the proposed annex submitted by the Delegation of India.

Insofar as Eritrea is concerned the Canadian Delegation regrets the necessity of a postponement of a decision by the Assembly but we believe that, in the face of the conflicting evidence which has been placed before us, such a postponement may well be the part of wisdom. In the case of this territory, as in the case of the others, the Canadian Delegation does not favour any solution which does not have prior regard for the wishes and welfare of the peoples concerned. We must establish beyond doubt what really *are* the wishes of the inhabitants and must develop our solution accordingly. However, at the present time we believe that it is necessary for the General Assembly to secure more information as to the *real* wishes of the inhabitants of Eritrea and, for this reason, the Canadian Delegation will support the Sub-Committee's proposal for the establishment of a commission to secure this information. When this commission returns to us with its report we shall then be in a better position to make a final decision in regard to this territory.

Finally, Mr. Chairman, my Delegation would like to stress what has already been mentioned by a number of speakers—namely, that the recommentations of the Sub-Committee are essentially a compromise which will certainly not satisfy any delegation. Surely, however, the spirit of compromise is absolutely essential if the General Assembly is to achieve the purposes for which it was established.

Appendix 12

General Assembly Resolutions, November 21, 1949: Former Italian Colonies

Vote: Resolution "A"—
48 in favour (including Canada), 1 against, 9 abstentions

Resolution "B"—
48 in favour (including Canada), 5 against, 3 abstentions

Resolution "C"—
32 in favour (including Canada), 13 against, 6 abstentions

A.

The General Assembly,

In accordance with Annex XI, paragraph 3, of the Treaty of Peace with Italy, 1947, whereby the Powers concerned have agreed to accept the recommendation of the General Assembly on the disposal of the former Italian colonies and to take appropriate measures for giving effect to it,

Having taken note of the report of the Four Power Commission of Investigation, having heard spokesmen of organizations representing substantial sections of opinion in the territories concerned, and having taken into consideration the wishes and welfare of the inhabitants of the territories, the interests of peace and security, the views of the interested Governments and the relevant provisions of the Charter,

A. *With respect to Libya, recommends:*

1. That Libya, comprising Cyrenaica, Tripolitania and the Fezzan, shall be constituted an independent and sovereign State;

2. That this independence shall become effective as soon as possible and in any case not later than 1 January 1952;

3. That a constitution for Libya, including the form of the government, shall be determined by representatives of the inhabitants of Cyrenaica, Tripolitania and the Fezzan meeting and consulting together in a National Assembly;

4. That, for the purpose of assisting the people of Libya in the formulation of the constitution and the establishment of an independent Government, there shall be a United Nations Commissioner in Libya appointed by the General Assembly and a Council to aid and advise him;

5. That the United Nations Commissioner, in consultation with the Council, shall submit to the Secretary-General an annual report and such other special reports as he may consider necessary. To these reports shall be added any memorandum or document that the United Nations Commissioner or a member of the Council may wish to bring to the attention of the United Nations;

6. That the Council shall consist of ten members, namely:

(a) One representative nominated by the Government of each of the following countries: Egypt, France, Italy, Pakistan, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

(b) One representative of the people of each of the three regions of Libya and one representative of the minorities in Libya;

7. That the United Nations Commissioner shall appoint the representatives mentioned in paragraph 6(b), after consultation with the administering Powers, the representatives of the Governments mentioned in paragraph 6(a), leading personalities and representatives of political parties and organizations in the territories concerned;

8. That, in the discharge of his functions, the United Nations Commissioner shall consult and be guided by the advice of the members of his Council, it being understood that he may call upon different members to advise him in respect of different regions or different subjects;

9. That the United Nations Commissioner may offer suggestions to the General Assembly, to the Economic and Social Council and to the Secretary-General as to the measures that the United Nations might adopt during the transitional period regarding the economic and social problems of Libya;

10. That the administering Powers in co-operation with the United Nations Commissioner:

(a) Initiate immediately all necessary steps for the transfer of power to a duly constituted independent Government;

(b) Administer the territories for the purpose of assisting in the establishment of Libyan unity and independence, co-operate in the formation of governmental institutions and co-ordinate their activities to this end;

(c) Make an annual report to the General Assembly on the steps taken to implement these recommendations·

11. That upon its establishment as an independent State, Libya shall be admitted to the United Nations in accordance with Article 4 of the Charter;

B. *With respect to Italian Somaliland, recommends:*

1. That Italian Somaliland shall be an independent sovereign State;

2. That this independence shall become effective at the end of ten years from the date of the approval of a Trusteeship Agreement by the General Assembly;

3. That during the period mentioned in paragraph 2, Italian Somaliland shall be placed under the International Trusteeship System with Italy as the Administering Authority;

4. That the Administering Authority shall be aided and advised by an Advisory Council composed of representatives of the following States: Colombia, Egypt and the Philippines. The headquarters of the Advisory Council shall be Mogadiscio. The precise terms of reference of the Advisory Council shall be determined in the Trusteeship Agreement and shall include a provision whereby the Trusteeship Council shall invite the States members of the Advisory Council, if they are not members of the Trusteeship Council, to participate without vote in the debates of the Trusteeship Council on any question relating to this territory;

5. That the Trusteeship Council shall negotiate with the Administering Authority the draft of a Trusteeship Agreement for submission to the General Assembly if possible during the present session, and in any case not later than the fifth regular session;

6. That the Trusteeship Agreement shall include an annex containing a declaration of constitutional principles guaranteeing the rights of the inhabitants of Somaliland and providing for institutions designed to ensure the inauguration, development and subsequent establishment of full self-government;

7. That in the drafting of this declaration the Trusteeship Council and the Administering Authority shall be guided by the annexed text proposed by the Indian delegation;

8. That Italy shall be invited to undertake provisional administration of the territory:

(a) At a time and pursuant to arrangements for the orderly transfer of administration agreed upon between Italy and the United Kingdom, after the Trusteeship Council and Italy have negotiated the Trusteeship Agreement;

(b) On condition that Italy gives an undertaking to administer the territory in accordance with the provisions of the Charter relating to the International Trusteeship System and to the Trusteeship Agreement pending approval by the General Assembly of a Trusteeship Agreement for the territory;

9. That the Advisory Council shall commence the discharge of its functions when the Italian Government begins its provisional administration;

C. *With respect to Eritrea, recommends:*

1. That a Commission consisting of representatives of not more than five Member States, as follows, Burma, Guatemala, Norway, Pakistan and the Union of South Africa, shall be established to ascertain more fully the wishes and the best means of promoting the welfare of the inhabitants of Eritrea, to examine the question of the disposal of Eritrea and to prepare a report for the General Assembly, together with such proposal or proposals as it may deem appropriate for the solution of the problem of Eritrea;

2. That in carrying out its responsibilities the Commission shall ascertain all the relevant facts, including written or oral information from

the present administering Power, from representatives of the population of the territory, including minorities, from Governments and from such organizations and individuals as it may deem necessary. In particular, the Commission shall take into account:

(a) The wishes and welfare of the inhabitants of Eritrea, including the views of the various racial, religious and political groups of the provinces of the territory and the capacity of the people for self-government;

(b) The interests of peace and security in East Africa;

(c) The rights and claims of Ethiopia based on geographical, historical, ethnic or economic reasons, including in particular Ethiopia's legitimate need for adequate access to the sea;

3. That in considering its proposals the Commission shall take into account the various suggestions for the disposal of Eritrea submitted during the fourth regular session of the General Assembly;

4. That the Commission shall assemble at the headquarters of the United Nations as soon as possible. It shall travel to Eritrea and may visit such other places as in its judgment may be necessary in carrying out its responsibilities. The Commission shall adopt its own rules of procedure. Its report and proposal or proposals shall be communicated to the Secretary-General not later than 15 June 1950 for distribution to Member States so as to enable final consideration during the fifth regular session of the General Assembly. The Interim Committee of the General Assembly shall consider the report and proposal, or proposals, of the Commission and report, with conclusions, to the fifth regular session of the General Assembly;

D. *With respect to the above provisions:*

1. *Invites* the Secretary-General to request the necessary facilities from the competent authorities of each of the States in whose territory it may be necessary for the Commission for Eritrea to meet or travel;

2. *Authorizes* the Secretary-General, in accordance with established practices,

(a) To arrange for the payment of an appropriate remuneration to the United Nations Commissioner in Libya;

(b) To reimburse the travelling and subsistence expenses of the members of the Council for Libya, of one representative from each Government represented on the Advisory Council for Somaliland, and of one representative and one alternate from each Government represented on the Commission for Eritrea;

(c) To assign to the United Nations Commissioner in Libya, to the Advisory Council for Somaliland, and to the United Nations Commission for Eritrea such staff and to provide such facilities as the Secretary-General may consider necessary to carry out the terms of the present resolution.

Annexure Text* Proposed by the Delegation of India

The following constitution shall be annexed to and form part of the Trusteeship Agreement for any of the former Italian colonies that may be placed under the International Trusteeship System:

1. The sovereignty of the Trust Territory shall be vested in its people and shall be exercised on their behalf by the authorities and in the manner prescribed herein.

2. The executive authority of the Trust Territory shall be exercised by an Administrator appointed by the Administering Authority.

3. To assist him in the discharge of his functions the Administrator shall appoint a Council consisting of five representatives of the principal political parties or organizations in the Trust Territory.

4. In matters relating to defence and foreign affairs, the Administrator shall be responsible to and carry out the directions of the United Nations acting through its appropriate organs. In all other matters, the Administrator shall consult and be guided by the advice of his Council.

5. The legislative authority of the Trust Territory shall normally be exercised by the Administrator with the consent of his Council enlarged by such additional representatives of the people as the Administrator may summon for the purpose. In exceptional circumstances, the Administrator may, subject to the control of the United Nations acting through its appropriate organs, make and promulgate such ordinances as, in his opinion, the circumstances demand.

6. The judicial authority of the Trust Territory shall be exercised by a Supreme Court and courts subordinate thereto. The judges of the Supreme Court shall be appointed by the Administrator but shall hold office during good behaviour and shall not be removable except with the consent of the United Nations acting through its appropriate organs.

7. All the authorities of the Trust Territory shall, in the exercise of their respective functions, respect human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

8. The United Nations, acting through its appropriate organs may:
   (a) Make rules to supplement this constitution;
   (b) Review the administration periodically and amend this constitution so as to establish the Trust Territory as an independent State within a period not exceeding five years.

B.

The General Assembly, to assist it in making the appointment of the United Nations Commissioner in Libya,

Decides that a Committee composed of:

the President of the General Assembly, two of the Vice-Presidents of the General Assembly (Brazil and Pakistan), the Chairman of the First Committee, and the Chairman of the *Ad Hoc* Political Committee shall nominate a candidate or, if no agreement can be reached, three candidates.

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*See Section B, paragraph 7, p. 252.

C.

The General Assembly,

Considering its recommendations regarding the disposal of the former Italian colonies,

Calls upon the Interim Committee of the General Assembly to study the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement, and report with conclusions to the fifth regular session of the General Assembly.

Appendix 13

Canadian Statement, Ad Hoc Political Committee, November 29, 1949: Jerusalem and the Holy Places*

Some of the delegates who have preceded me in this general debate have referred to the resolution of the General Assembly of November 29, 1947, as well as to the resolution of December 11, 1948. The latter, in the opinion of the Canadian Delegation, is complete and, in itself, it sets forth the explicit terms of reference of the Conciliation Commission which it established: that is, we recognize that the resolution of 1947 should be regarded in the light of the changed circumstances. In particular, we consider that the words "maximum local autonomy for distinctive groups" in the resolution of 1948 were designed to instruct the Commission to take into account the relevant new elements of the situation which had developed since November 29, 1947.

Of course, "maximum local autonomy" for the Arab and Jewish communities of Jerusalem is subject to the primary requirement for an effective United Nations control with full safeguards for the protection of the Holy Places and sites and free access to them, and for religious freedom.

Thus, the first question which arises is what kind of United Nations control is required to ensure the effective protection of, and free access to the Holy Places and sites, as well as religious freedom in Jerusalem. For its part, the Canadian Delegation continues to believe that these matters must be organized under international authority.

The next question is the extent of international control which will, on the one hand, safeguard effectively the religious interests and, on the other hand, leave "maximum local autonomy" to the two main groups of the population of Jerusalem. Here, our reply is that the plan of the Conciliation Commission offers an acceptable basis for discussion. These proposals may well have to be strengthened in a number of respects, as many delegates have suggested; yet, generally speaking, they seem to us to be in accord with the resolution of December 11, 1948, and nothing has happened since that date to suggest that any radically different solution should be considered. The Conciliation Commission plan appears to us to provide for the legitimate interests of the peoples of Jerusalem and, at the same time, to offer a way to give effect to the basic principle of the protection of the Holy Places and freedom of access thereto. It offers a much simpler and less arbitrary scheme of international control than the plan proposed by the Trusteeship Council in April 1948, under which an undivided Jerusalem would have been ruled, under the Trusteeship Council, by a United Nations Governor, exercising full executive power and authorized during emergencies to exercise legislative power as well.

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*This statement was delivered prior to the formulation of the Netherlands-Swedish draft resolution referred to on pp. 55-56.

In our view, the Conciliation Commission plan is much more practical in that it accepts the existing fact of a divided Jerusalem. The duties of the United Nations Representative, or Commissioner, which it proposes are restricted to what is essential and other matters are left to the competence of responsible Arab and Israeli municipal authorities in the two zones with adequate provision so that they can cooperate in their common interest through the mechanism of the General Council to be created under the plan. Unlike the former proposals of the Trusteeship Council, the Conciliation Commission plan was drafted only after the matters at issue had been fully discussed both in Palestine and at Lausanne with the Arab and Israeli authorities. While these discussions did not succeed in producing an agreed solution, nevertheless, the members of the Conciliation Commission have had at least the benefit of the views of the two parties locally concerned and they have been able to evaluate considerations in the light of the evidence placed before them.

The Canadian Delegation therefore supports the Conciliation Commission plan as a basis for discussion; as regards procedure we suggest that the Sub-Committee might go into details with a view to adjusting the provisions of this plan as may be found necessary or expedient, bearing always in mind the two essential elements of the resolution of December 11, 1948, that is, the effective safeguarding of the Holy Places and free access thereto as a first and paramount requirement, and the "maximum local autonomy" as a second.

It may be that in the Committee it will be found expedient to amend the wording of the Conciliation Commission's plan somewhat to make abundantly certain that the first requirement will take precedence over the second, and further that the General Assembly will continue to have the duty to keep the situation constantly under review so that if arrangements made in relation to the Holy Places should not prove to have worked out satisfactorily, then, the General Assembly will have the right to effect whatever revision it may deem necessary.

The General Assembly could, of course, decide now to go back to the resolution of November 29, 1947, if it wished. In such a case, however, I think we should first make quite sure that we have not only the desire to establish an international city on the grounds that this far-reaching solution is really necessary for the purpose in view, but also we must be sure that we have the willingness to assume the heavy financial, administrative and military obligations which a territorial internationalization would entail. The distinguished Delegate of France, on Saturday, has very pertinently raised that issue. We should not mislead ourselves with words. The Canadian Delegation feels that we would fail to serve either the interest of the international religious community or of the people who live in Jerusalem if we were to adopt such an ambitious scheme without being satisfied that it is really essential and also being fully determined to carry it out in the face of the vigorous opposition which it would certainly arouse. The Canadian Delegation also shares the view expressed by the eminent and experienced

Delegate of Lebanon on Saturday and again yesterday when he said that something has to be done now if something is to be done at all. Postponement of action would lessen the authority of the United Nations and would encourage the forces tending to new *faits accomplis*, which might make it much more difficult to ensure the kind of internationalization deemed necessary for safeguarding the paramount religious interests in Jerusalem.

Finally, Mr. Chairman, I would like to say that the Canadian Delegation recognizes the genuine and legitimate desire of the two main groups which inhabit the city to administer their own affairs in the closest possible relation with their respective states, and we recognize that if their legitimate aspirations are met in this regard, then the protection of the Holy Places will rest on a firmer and more enduring foundation. Actually the Conciliation Commission plan, in its broad lines, and with the modifications I have indicated, seems to us to contain the formula which best meets such desires without endangering the international religious interests with which we must all be primarily concerned. Thus the Canadian Delegation regards the Conciliation Commission plan not as a compromise, but as the basis for an effective long-term solution in which all interests will have been duly taken into account.

In conclusion I would like to say, Mr. Chairman, that it is our earnest hope that all the governments concerned will recognize the necessities of the position which has now been reached and that they will fully explain these necessities to their peoples. In this respect, I think a particular responsibility rests with the state of Israel, since it was made clear to that state when it was admitted to membership in the United Nations last spring, that the world continued to count on a solution to the problem of Jerusalem which would be satisfactory to all parties. We supported Israel's application for membership in the United Nations in the confidence that our expectations in regard to the proper protection and access to the Holy Places would be fulfilled. On May 6, 1949, our Representative on this Committee referred to the unsolved problems in Palestine—final boundary adjustments, Arab refugees, and the future of Jerusalem—and stated our understanding that solutions would be reached "within the meaning and spirit of the resolutions of the Assembly and the Security Council and of the aims and purposes of the United Nations." We trust that the Government of Israel will now agree to fulfil their part of these obligations in good faith.

Appendix 14

Excerpts from Canadian Statement, General Assembly, December 9, 1949: Jerusalem and the Holy Places

... My Delegation has emphasized that our first consideration is the effective protection of the Holy Places. We believe, as the vast majority of delegations here believe, that this effective protection can only be ensured by effective and adequate international authority.

This does not mean, however, that the mere adoption by this Assembly of a sweeping resolution for the most complete international administration over a city, irrespective of the wishes of the inhabitants, can give this protection. Indeed, there is reason to fear that if the Assembly disregards the real needs and the genuine aspirations of the people who live in the Jerusalem area, the result may be to endanger the very Holy Places whose protection is our greatest interest and concern.

The wishes of the inhabitants of Jerusalem, and of the populations of the neighbouring areas, cannot, in the view of my Delegation, be the sole or in any sense an overriding criterion, in determining the appropriate measures necessary for sites whose sacred character makes them a matter of deep and abiding concern for millions and millions of people throughout the world.

It is, however, no less true that the legitimate interests, and the attitudes and aspirations of the inhabitants, cannot be ignored if we are to achieve a solution that will work and which will endure. To adopt in this General Assembly a solution that would not work would, in our view, be a great disservice to the United Nations, and more particularly, it would be an act of irresponsibility in regard to the Holy Places whose protection, I repeat, it must be our first duty to ensure.

My Delegation will therefore vote against the proposal initiated by Australia, and amended by the Delegations of El Salvador, Lebanon and the Union of Soviet Socialist Republics . . .

On this question of Jerusalem, it seems to me that we should keep our eye firmly on our proper objective, which is the international protection of the Holy Places. If we assert an international interest far beyond what is necessary for this purpose, we may endanger the accomplishment of this objective.

My Delegation feels, therefore, that the essential requirement is an effective United Nations control with full safeguards for the protection of the Holy Places and sites and for free access to them, and for religious freedom. Subject to this, we should seek to allow the maximum local autonomy for the Arab and Jewish communities of Jerusalem. The solution of our problem should therefore be to establish that kind of United Nations control which is required to ensure effective protection of religious interests, while avoiding the assumption by the United Nations of responsibilities and controls which are unnecessary for this purpose. Such unnecessary responsibilities, if beyond the powers of the United Nations, would be inadequately discharged. Such a situation would place the Holy Places and the interests of religious persons throughout the world in jeopardy.

My Delegation believes that the proposal put forward by the Netherlands and Swedish Delegations meets the principles of practicability, of effective protection for religious interests, and of maximum local autonomy compatible with this effective protection. The Canadian Delegation will vote for this joint Netherlands-Swedish proposal.

In doing so, we do not claim that it is perfect in all its clauses. We do believe, however, that it is the one promising solution, suggested in the course of our deliberations in this Assembly, which gives evidence of practicability and which seems likely to command the necessary international support to make it effective.* . . .

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*The proposals of the Conciliation Commission, supported by Canada "as a basis for discussion" on November 29, did not come before the Assembly in the form of a draft resolution sponsored by a member state.

I must make it clear that the Swedish-Netherlands proposal, like any other proposal, is necessarily in the nature of an experiment. The interest of the United Nations in the protection of the Holy Places, and therefore in the situation in Jerusalem, must be a continuing interest.

For this reason, a feature which appeals to us in this proposal, is the provision for review by the General Assembly at an early future session. The adoption by this Assembly of the Netherlands-Swedish resolution would in no sense prejudice the right, and indeed the duty of the General Assembly to revise the form and scope of internationalization for Jerusalem, should experience and future developments in the area make this desirable.

The United Nations must continue to have responsibility for Jerusalem, and to exercise final authority over this Holy City. We must constantly watch developments there, to ensure that the Holy Places, and access to them, and religious freedom in them, are duly protected.

We believe that the best step which the General Assembly can now take to discharge these responsibilities is the adoption of the draft resolution put forward by the Delegations of the Netherlands and Sweden.

Appendix 15

General Assembly Resolution, December 9, 1949: Internationalization of Jerusalem and Protection of the Holy Places

(Vote: 38 in favour, 14 against (including Canada), 7 abstentions)

The General Assembly,

Having regard to its resolutions 181 (II) of 29 November 1947 and 194 (III) of 11 December 1948.

Having studied the reports of the United Nations Conciliation Commission for Palestine set up under the latter resolution,

I. *Decides:*

In relation to Jerusalem,

Believing that the principles underlying its previous resolutions concerning this matter, and in particular its resolution of 29 November 1947, represent a just and equitable settlement of the question,

1. To restate, therefore, its intention that Jerusalem should be placed under a permanent international regime, which should envisage appropriate guarantees for the protection of the Holy Places, both within and outside Jerusalem and to confirm specifically the following provisions of General Assembly resolution 181 (II): (1) The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations; (2) The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority . . .; and (3) The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most

western, Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat . . .;

2. To request for this purpose that the Trusteeship Council at its next session, whether special or regular, complete the preparation of the Statute of Jerusalem, omitting the now inapplicable provisions, such as articles 32 and 39, and, without prejudice to the fundamental principles of the international regime for Jerusalem set forth in General Assembly resolution 181 (II) introducing therein amendments in the direction of its greater democratization, approve the Statute, and proceed immediately with its implementation. The Trusteeship Council shall not allow any actions taken by any interested Government or Governments to divert it from adopting and implementing the Statute of Jerusalem;

II. *Calls upon* the States concerned, to make formal undertakings, at an early date and in the light of their obligations as Members of the United Nations, that they will approach these matters with good will, and be guided by the terms of the present resolution.

Appendix 16

Canadian Statement, Ad Hoc Political Committee, December 2, 1949: Palestine Refugees

In view of the urgency of completing this debate, I merely wish to say that the Canadian Delegation fully supports the draft resolution standing in the names of the Delegations of France, Turkey, the United Kingdom and the United States, and which is now before this Committee. We support it because it follows the conclusions reached by the Economic Survey Mission in their "on-the-spot" studies of this grave problem. My Delegation is in full accord with these conclusions. The resolution now before us contains proposals which are realistic, constructive, and practical. Furthermore, they appear to us to be capable of implementation, and no one can doubt, therefore, that the adoption of this resolution would result in some improvement in the lot of the very unfortunate men, women and children who are victims of circumstances existing in Palestine.

The matter of voluntary contributions is, of course, a matter for governments to decide, and my Delegation cannot, therefore, make any commitment at this time.

Appendix 17

General Assembly Resolution, December 8, 1949: Assistance to Palestine Refugees

(Vote: 47 in favour (including Canada), none against, 6 abstentions)

The General Assembly,

Recalling its resolutions 212 (III) of 19 November 1948 and 194 (III) of 11 December 1948, affirming in particular the provisions of paragraph 11 of the latter resolution,

Having examined with appreciation the first interim report of the United Nations Economic Survey Mission for the Middle East and the report of the Secretary-General on assistance to Palestine refugees,

1. *Expresses* its appreciation to the Governments which have generously responded to the appeal embodied in its resolution 212 (III), and to the appeal of the Secretary-General, to contribute in kind or in funds to the alleviation of the conditions of starvation and distress amongst the Palestine refugees;

2. *Expresses* also its gratitude to the International Committee of the Red Cross, to the League of Red Cross Societies and to the American Friends Service Committee for the contribution they have made to this humanitarian cause by discharging, in the face of great difficulties, the responsibility they voluntarily assumed for the distribution of relief supplies and the general care of the refugees; and welcomes the assurance they have given the Secretary-General that they will continue their co-operation with the United Nations until the end of March 1950 on a mutually acceptable basis;

3. *Commends* the United Nations International Children's Emergency Fund for the important contribution which it has made towards the United Nations programme of assistance; and commends those specialized agencies which have rendered assistance in their respective fields, in particular the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the International Refugee Organization;

4. *Expresses* its thanks to the numerous religious, charitable and humanitarian organizations which have materially assisted in bringing relief to Palestine refugees;

5. *Recognizes* that, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, continued assistance for the relief of the Palestine refugees is necessary to prevent conditions of starvation and distress among them and to further conditions of peace and stability, and that constructive measures should be undertaken at an early date with a view to the termination of international assistance for relief;

6. *Considers that*, subject to the provisions of paragraph 9(d) of the present resolution, the equivalent of approximately $33,700,000 will be required for direct relief and works programmes for the period 1 January to 31 December 1950, of which the equivalent of $20,200,000 is required for direct relief and $13,500,000 for works programmes; that the equivalent of approximately $21,200,000 will be required for works programmes from

1 January to 30 June 1951, all inclusive of administrative expenses; and that direct relief should be terminated not later than 31 December 1950 unless otherwise determined by the General Assembly at its fifth regular session;

7. *Establishes* the "United Nations Relief and Works Agency for Palestine Refugees in the Near East":

(a) To carry out in collaboration with local governments the direct relief and works programmes as recommended by the Economic Survey Mission;

(b) To consult with the interested Near Eastern Governments concerning measures to be taken by them preparatory to the time when international assistance for relief and works projects is no longer available;

8. *Establishes* an Advisory Commission consisting of representatives of France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with power to add not more than three additional members from contributing Governments, to advise and assist the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the execution of the programme; the Director and the Advisory Commission shall consult with each Near Eastern Government concerned in the selection, planning and execution of projects;

9. *Requests* the Secretary-General to appoint the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in consultation with the Governments represented on the Advisory Commission;

(a) The Director shall be the chief executive officer of the United Nations Relief and Works Agency for Palestine Refugees in the Near East responsible to the General Assembly for the operation of the programme;

(b) The Director shall select and appoint his staff in accordance with general arrangements made in agreement with the Secretary-General, including such of the staff rules and regulations of the United Nations as the Director and the Secretary-General shall agree are applicable, and to the extent possible utilize the facilities and assistance of the Secretary-General;

(c) The Director shall, in consultation with the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions, establish financial regulations for the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

(d) Subject to the financial regulations established pursuant to clause (c) of the present paragraph, the Director, in consultation with the Advisory Commission, shall apportion available funds between direct relief and works projects in their discretion, in the event that the estimates in paragraph 6 require revision;

10. *Requests* the Director to convene the Advisory Commission at the earliest practicable date for the purpose of developing plans for the organization and administration of the programme, and of adopting rules of procedure;

11. *Continues* the United Nations Relief for Palestine Refugees as established under General Assembly resolution 212 (III) until 1 April 1950,

or until such date thereafter as the transfer referred to in paragraph 12 is effected, and requests the Secretary-General in consultation with the operating agencies to continue the endeavour to reduce the numbers of rations by progressive stages in the light of the findings and recommendations of the Economic Survey Mission;

12. *Instructs* the Secretary-General to transfer to the United Nations Relief and Works Agency for Palestine Refugees in the Near East the assets and liabilities of the United Nations Relief for Palestine Refugees by 1 April 1950, or at such date as may be agreed by him and the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

13. *Urges* all Members of the United Nations and non-members to make voluntary contributions in funds or in kind to ensure that the amount of supplies and funds required is obtained for each period of the programme as set out in paragraph 6; contributions in funds may be made in currencies other than the United States dollar in so far as the programme can be carried out in such currencies;

14. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance funds deemed to be available for this purpose and not exceeding $5,000,000 from the Working Capital Fund to finance operations pursuant to the present resolution, such sum to be repaid not later than 31 December 1950 from the voluntary governmental contributions requested under paragraph 13 above;

15. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to negotiate with the International Refugee Organization for an interest-free loan in an amount not to exceed the equivalent of $2,800,000 to finance the programme subject to mutually satisfactory conditions for repayment;

16. *Authorizes* the Secretary-General to continue the Special Fund established under General Assembly resolution 212 (III) and to make withdrawals therefrom for the operation of the United Nations Relief for Palestine Refugees and, upon the request of the Director, for the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

17. *Calls upon* the Governments concerned to accord to the United Nations Relief and Works Agency for Palestine Refugees in the Near East the privileges, immunities, exemptions and facilities which have been granted to the United Nations Relief for Palestine Refugees, together with all other privileges, immunities, exemptions and facilities necessary for the fulfilment of its functions;

18. *Urges* the United Nations International Children's Emergency Fund, the International Refugee Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization and other appropriate agencies and private groups and organizations, in consultation with the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to furnish assistance within the framework of the programme;

19. *Requests* the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East:

(a) To appoint a representative to attend the meeting of the Technical Assistance Board as observer so that the technical assistance activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East may be co-ordinated with the technical assistance programmes of the United Nations and specialized agencies referred to in Economic and Social Council resolution 222 (IX)A of 15 August 1949;

(b) To place at the disposal of the Technical Assistance Board full information concerning any technical assistance work which may be done by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in order that it may be included in the reports submitted by the Technical Assistance Board to the Technical Assistance Committee of the Economic and Social Council;

20. *Directs* the United Nations Relief and Works Agency for Palestine Refugees in the Near East to consult with the United Nations Conciliation Commission for Palestine in the best interests of their respective tasks, with particular reference to paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948;

21. *Requests* the Director to submit to the General Assembly of the United Nations an annual report on the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including an audit of funds, and invites him to submit to the Secretary-General such other reports as the United Nations Relief and Works Agency for Palestine Refugees in the Near East may wish to bring to the attention of Members of the United Nations, or its appropriate organs;

22. *Instructs* the United Nations Conciliation Commission for Palestine to transmit the final report of the Economic Survey Mission, with such comments as it may wish to make, to the Secretary-General for transmission to the Members of the United Nations and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Appendix 18

Security Council Resolution, January 28, 1949: Indonesia

(Vote on majority of paragraphs: 8 in favour (including Canada), none against, 3 abstentions)

The Security Council,

Recalling its resolutions of 1 August 1947, 25 August 1947, and 1 November 1947, with respect to the Indonesian Question:

Taking Note with approval of the Reports submitted to the Security Council by its Committee of Good Offices for Indonesia;

Considering that its resolutions of 24 December 1948 and 28 December 1948 have not been fully carried out;

Considering that continued occupation of the territory of the Republic of Indonesia by the armed forces of the Netherlands is incompatible with the restoration of good relations between the parties and with the final achievement of a just and lasting settlement of the Indonesian dispute;

Considering that the establishment and maintenance of law and order throughout Indonesia is a necessary condition to the achievement of the expressed objectives and desires of both parties;

Noting with satisfaction that the parties continue to adhere to the principles of the Renville Agreement and agree that free and democratic elections should be held throughout Indonesia for the purpose of establishing a constituent assembly at the earliest practicable date, and further agree that the Security Council should arrange for the observation of such elections by an appropriate agency of the United Nations; and that the representative of the Netherlands has expressed his government's desire to have such elections held not later than 1 October 1949;

Noting also with satisfaction that the Government of the Netherlands plans to transfer sovereignty to the United States of Indonesia by 1 January 1950, if possible, and, in any case, during the year 1950,

Conscious of its primary responsibility for the maintenance of international peace and security, and in order that the rights, claims and positions of the parties may not be prejudiced by the use of force;

1. *Calls* upon the Government of the Netherlands to ensure the immediate discontinuance of all military operations, calls upon the Government of the Republic simultaneously to order its armed adherents to cease guerrilla warfare, and calls upon both parties to cooperate in the restoration of peace and the maintenance of law and order throughout the area affected.

2. *Calls upon* the Government of the Netherlands to release immediately and unconditionally all political prisoners arrested by them since 17 December 1948 in the Republic of Indonesia; and to facilitate the immediate return of officials of the Government of the Republic of Indonesia to Jogjakarta in order that they may discharge their responsibilities under paragraph 1 above and in order to exercise their appropriate functions in full freedom, including administration of the Jogjakarta area, which shall include the city of Jogjakarta and its immediate environs. The Netherlands authorities shall afford to the Government of the Republic of Indonesia such facilities as may reasonably be required by that Government for its effective function in the Jogjakarta area and for communication and consultation with all persons in Indonesia.

3. *Recommends* that, in the interest of carrying out the expressed objectives and desires of both parties to establish a federal, independent, and sovereign United States of Indonesia at the earliest possible date, negotiations be undertaken as soon as possible by representatives of the Government of the Netherlands and representatives of the Republic of Indonesia with the assistance of the Commission referred to in paragraph 4 below on the basis of the principles set forth in the Linggadjati and Renville Agreements, and taking advantage of the extent of agreement reached between the parties regarding the proposals submitted to them by the United States representative on the Committee of Good Offices on 10 September 1948; and in particular, on the basis that:

(a) The establishment of the Interim Federal Government which is to be granted the powers of internal government in Indonesia during the interim period before the transfer of sovereignty shall be the result of the above negotiations and shall take place not later than 15 March 1949;

(b) The elections which are to be held for the purpose of choosing representatives to an Indonesian Constituent Assembly should be completed by 1 October 1949; and

(c) The transfer of sovereignty over Indonesia by the Government of the Netherlands to the United States of Indonesia should take place at the earliest possible date and in any case not later than 1 July 1950;

Provided that if no agreement is reached by one month prior to the respective dates referred to in sub-paragraphs (a), (b), and (c) above, the Commission referred to in paragraph 4(a) below or such other United Nations agency as may be established in accordance with paragraph 4(c) below, shall immediately report to the Security Council with its recommendations for a solution of the difficulties.

4. (a) The Committee of Good Offices shall henceforth be known as the *United Nations Commission for Indonesia.* The Commission shall act as the representative of the Security Council in Indonesia and shall have all of the functions assigned to the Committee of Good Offices by the Security Council since 18 December, and the functions conferred on it by the terms of this resolution. The Commission shall act by majority vote, but its reports and recommendations to the Security Council shall present both majority and minority views if there is a difference of opinion among the members of the Commission.

(b) The Consular Commission is requested to facilitate the work of the United Nations Commission for Indonesia by providing military observers and other staff and facilities to enable the Commission to carry out its duties under the Council's resolutions of 24 and 28 December 1948 as well as under the present resolution, and shall temporarily suspend other activities.

(c) The Commission shall assist the parties in the implementation of this resolution, and shall assist the parties in the negotiations to be undertaken under paragraph 3 above and is authorized to make recommendations to them or to the Security Council on matters within its competence. Upon agreement being reached in such negotiations the Commission shall make recommendations to the Security Council as to the nature, powers, and functions of the United Nations agency which should remain in Indonesia to assist in the implementation of the provisions of such agreement until sovereignty is transferred by the Government of the Netherlands to the United States of Indonesia.

(d) The Commission shall have authority to consult with representatives of areas in Indonesia other than the Republic, and to invite representatives of such areas to participate in the negotiations referred to in paragraph 3 above.

(e) The Commission or such other United Nations agency as may be established in accordance with its recommendation under paragraph 4(c) above is authorized to observe on behalf of the United Nations the elections to be held throughout Indonesia and is further authorized, in respect of the Territories of Java, Madura and Sumatra, to make recommendations regarding the conditions necessary (a) to ensure that the elections are free and democratic, and (b) to guarantee freedom of assembly, speech and publication at all times, provided that such guarantee is not construed so as to include the advocacy of violence or reprisals.

(f) The Commission should assist in achieving the earliest possible restoration of the civil administration of the Republic. To this end it shall, after consultation with the parties, recommend the extent to which, consistent with reasonable requirements of public security and the protection of life and property, areas controlled by the Republic under the Renville Agreement (outside of the Jogjakarta area) should be progressively returned to the administration of the Government of the Republic of Indonesia, and shall supervise such transfers. The recommendations of the Commission may include provision for such economic measures as are required for the proper functioning of the administration and for the economic well-being of the population of the areas involved in such transfers. The Commission shall, after consultation with the parties, recommend which if any Netherlands forces shall be retained temporarily in any area (outside of the Jogjakarta area) in order to assist in the maintenance of law and order. If either of the parties fails to accept the recommendations of the Commission mentioned in this paragraph, the Commission shall report immediately to the Security Council with its further recommendations for a solution of the difficulties.

(g) The Commission shall render periodic reports to the Council, and special reports whenever the Commission deems necessary.

(h) The Commission shall employ such observers, officers and other persons as it deems necessary.

5. *Requests* the Secretary-General to make available to the Commission such staff, funds and other facilities as are required by the Commission for the discharge of its function.

6. *Calls upon* the Government of the Netherlands and the Republic of Indonesia to cooperate fully in giving effect to the provisions of this resolution.

Appendix 19

Security Council Directive, March 23, 1949: Indonesia

(Vote: 8 in favour (including Canada), none against, 3 abstentions)

It is the sense of the Security Council that the United Nations Commission for Indonesia, in accordance with the Council's Resolution of 28 January 1949, and without prejudicing the rights, claims and positions of the parties, should assist the parties in reaching agreement as to, (a) the implementation of the Council's Resolution of 28 January, and in particular paragraphs 1 and 2 of the operative part thereof, and, (b), the time and conditions for holding the proposed Conference at The Hague, to the end that the negotiations contemplated by the Resolution of 28 January may be held as soon as possible. It is further the sense of the Council that, if such an agreement is reached, the holding of such a conference and the participation by the United Nations Commission for Indonesia in accordance with its terms of reference would be consistent with the purposes and objectives of the Council's Resolution of 28 January 1949.

Appendix 20

Resolution of United Nations Commission for India and Pakistan, January 5, 1949: Kashmir

The United Nations Commission for India and Pakistan,

Having received from the Governments of India and Pakistan, in communications dated 23 December and 25 December 1948, respectively, their acceptance of the following principles which are supplementary to the Commission's Resolution of 13 August 1948;*

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite;

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948 have been carried out and arrangements for the plebiscite have been completed;

3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

   (b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organizing and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.

   (c) The Plebiscite Administrator shall have authority to appoint such staff or assistants and observers as he may require.

4. (a) After implementation of Parts I and II of the Commission's resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.

   (b) As regards the territory referred to in A.2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.

5. All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.

6. (a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two Commissions, one composed of nominees of India and the other of nominees of Pakistan. The Commission shall operate under the direction of the Plebiscite

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*For the text of the resolution of August 13, 1948, see Document S/1100, Interim Report of the United Nations Commission for India and Pakistan, November 9, 1948, pp. 28-30.

Administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision into effect.

(b) All persons (other than citizens of the State) who on or since 15 August 1947 have entered it for other than lawful purposes, shall be required to leave the State.

7. All authorities within the State of Jammu and Kashmir will undertake to ensure, in collaboration with the Plebiscite Administrator that:

(a) There is no threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite;

(b) No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of press, speech, and assembly, and freedom of travel in the State, including freedom of lawful entry and exit;

(c) All political prisoners are released;

(d) Minorities in all parts of the State are accorded adequate protection; and

(e) There is no victimization.

8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted;

9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial.

10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultations envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations;

Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of 1 January 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and

Resolves to return in the immediate future to the subcontinent to discharge the responsibilities imposed upon it by the Resolution of 13 August 1948 and by the foregoing principles.

Appendix 21

Proposals made by General A. G. L. McNaughton, as President of the Security Council, December 22, 1949: Kashmir

1. The principal considerations underlying the following proposals of the President of the Security Council of the United Nations are:

(a) To determine the future of Jammu and Kashmir by the democratic method of a free and impartial plebiscite, to take place as early as possible;

(b) Thus to settle this issue between the Governments of India and Pakistan in accordance with the freely expressed will of the inhabitants, as is desired by both Governments;

(c) To preserve the substantial measure of agreement on fundamental principles which has already been reached between the two Governments under the auspices of the United Nations;

(d) To avoid unprofitable discussion of disputed issues of the past, and to look forward into the future towards the good-neighbourly and constructive cooperation of the two great nations.

Demilitarization preparatory to the plebiscite

2. There should be an agreed programme of progressive demilitarization, the basic principle of which should be the reduction of armed forces on either side of the cease-fire line by withdrawal, disbandment and disarmament in such stages as not to cause fear at any point of time to the people on either side of the cease-fire line. The aim should be to reduce the armed personnel in the State of Jammu and Kashmir on each side of the cease-fire line to the minimum compatible with the maintenance of security and of local law and order, and to a level sufficiently low and with the forces so disposed that they will not constitute a restriction on the free expression of opinion for the purposes of the plebiscite.

(a) The programme of demilitarization should include the withdrawal from the State of Jammu and Kashmir of the regular forces of Pakistan; and the withdrawal of the regular forces of India not required for purposes of security or for the maintenance of local law and order on the Indian side of the cease-fire line; also the reduction, by disbanding and disarming, of local forces, including on the one side the armed forces and militia of the State of Kashmir, and on the other, the Azad forces.

(b) The "northern area" should also be included in the above programme of demilitarization, and its administration should, subject to United Nations supervision, be continued by the existing local authorities.

Suggested Basis of Agreement

3. The Governments of India and Pakistan should reach agreement not later than 31 January 1950 in New York on the following points:

(a) The Government of Pakistan should give unconditional assurance to the Government of India that they will deal effectively within their own borders with any possibility of tribal incursion into Jammu and Kashmir to the end that, under no circumstances, will tribesmen be able unlawfully to enter the State of Jammu and Kashmir from or through the territory of Pakistan. The Government of Pakistan should undertake to keep the Senior United Nations Military Observer informed and to satisfy him that the arrangements to this end are and continue to be adequate.

(b) The Governments of India and Pakistan should confirm the continued and unconditional inviolability of the "cease-fire line".

(c) Agreement should be reached on the basic principles of demilitarization outlined in paragraph 2 above.

(d) Agreement should be reached on the minimum forces required for the maintenance of security and of local law and order, and on their general disposition.

(e) Agreement should be reached on a date by which the reduction of forces, to the level envisaged in paragraph 2 above, is to be accomplished.

(f) Agreement should be reached on the progressive steps to be taken in reducing and redistributing the forces to the level envisaged in paragraph 2 above.

4. In respect to the foregoing matters, the Governments of India and of Pakistan should further agree that a United Nations representative, to be appointed by the Secretary-General of the United Nations in agreement with the two Governments, should supervise the execution of the progressive steps in reduction and redistribution of armed forces and that it should be the responsibility of this United Nations representative to give assurance to the people on both sides of the cease-fire line that they have no cause for fear at any stage throughout the process. This United Nations representative should have the duty and authority,

(a) of interpreting the agreements reached between the parties pursuant to paragraph 3, sub-paragraphs (c), (d), (e) and (f) above, and

(b) of determining, in consultation with the Governments of India and Pakistan respectively, the implementation of the plans for the reduction and redistribution of armed forces referred to in paragraph 3(f) above.

5. When the agreed programme of demilitarization preparatory to the plebiscite has been accomplished to the satisfaction of the United Nations representative, the plebiscite administrator should proceed forthwith to exercise the functions assigned to him under the terms of UNCIP resolution of 5 January 1949, which, together with UNCIP resolution of 13 August 1948, was accepted by the Governments of India and Pakistan and which are now reaffirmed by these Governments except in so far as the provisions therein contained are modified by the relevant provisions of this document. The functions and powers of the plebiscite administrator remain as set forth in UNCIP resolution of 5 January 1949.

6. The United Nations representative should be authorized to make any suggestions to the Governments of India and of Pakistan which, in his opinion, are likely to contribute to the expeditious and enduring solution of the Kashmir question, and to place his good offices at their disposal.

Appendix 22

Excerpts from Statement by General A. G. L. McNaughton, Canadian Representative, as President of the Security Council, December 29, 1949: Kashmir

I would like to make a brief statement as President reporting my consultations with the Representatives of India and Pakistan.

The Council will recall that at our last meeting on December 17, the Representative of Norway introduced a proposal that "the President should meet informally with the two parties and examine with them the possibility of finding a mutually satisfactory basis for dealing with the Kashmir problem". This proposal was adopted by the Council by a vote of 9 in favour and 2 abstentions. I, therefore, undertook to accept the responsibility assigned to me and thereafter to call the Council together as soon as I had anything to report which might merit consideration.

Pursuant to this decision of the Council I have, since December 17, 1949, held frequent meetings with the Representatives of India and Pakistan individually in a very serious endeavour to find a basis for a solution of this difficult question which faces all of us. I have also had the benefit of the information and advice which I received at a meeting held on December 20, 1949, with the members of the United Nations Commission for India and Pakistan; with Mr. Colban, who has been with the Commission as the Personal Representative of the Secretary-General; with General Delvoie, Military Adviser to UNCIP; and with Mr. Marin, the Commission's Legal Adviser.

In the course of my meetings with the Representatives of India and Pakistan, and at their request, I undertook to formulate a proposal for submission in writing to the parties for consideration by their respective Governments. The various clauses of the proposal were put through a process of prolonged and detailed preliminary discussion with the parties in the draft stage. I submitted the proposal to the two parties on Thursday, December 22. A copy of this proposal has been distributed to members of the Council.

I have naturally had to study many aspects of the problem, and in my proposal I have sought to take, as basic, the practical task of bringing about conditions in which the plebiscite could be held. The proposal is based firmly on the principle, originally offered unilaterally by the Government of India in a farseeing and statesmanlike declaration, and since then accepted and re-affirmed repeatedly by both parties, that the future of the State of Jammu and Kashmir will be determined by the freely expressed will of its people. I have, therefore, endeavoured, in so far as possible, to concentrate on developing, through the application of common sense and agreement, a basis for a practical and expeditious solution of this question by a plebiscite. I have intentionally avoided attempting to analyse or pronounce unnecessary judgment on the rights and wrongs of the disputed issues of the past few years, except insofar as these matters really need to be taken into consideration for the specific purpose of bringing about a settlement. In my judgment, a legalistic and historical approach to the matter would require the examination of a complex mass of detail, the relevance of which to arranging an early plebiscite seems at least doubtful. It is my hope that the general method of approach by seeking to concentrate on the development of acceptable arrangements for the future, rather than to pronounce upon issues raised in the past, will commend itself to members of the Security Council. Certainly it seems to me the most hopeful course to follow because, to a large and important extent, this method of approach does not require us to choose between conflicting interpretations of past history.

Appendix 23

General Assembly Resolution, December 8, 1949: Promotion of the Stability of International Relations in the Far East

(Vote: 45 in favour (including Canada), 5 against, no abstentions)

Whereas the peoples of the United Nations have expressed in the Charter of the United Nations their determination to practise tolerance, and to live together in peace with one another as good neighbours and to unite their strength to maintain international peace and security, and to that end the Members of the United Nations have obligated themselves to carry out the purposes and principles set forth in the Charter,

Whereas it is a purpose of the United Nations to develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

Whereas the organization of the United Nations is based on the principle of the sovereign equality of all its Members and on respect for international agreements,

Whereas the Charter calls upon all Members to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

The General Assembly,

Desiring to promote the stability of international relations in the Far East,

Calls upon all States:

1. To respect the political independence of China and to be guided by the principles of the United Nations in their relations with China;

2. To respect the right of the people of China now and in the future to choose freely their political institutions and to maintain a government independent of foreign control;

3. To respect existing treaties relating to China;

4. To refrain from (a) seeking to acquire spheres of influence or to create foreign-controlled regimes within the territory of China; (b) seeking to obtain special rights or privileges within the territory of China.

Appendix 24

General Assembly Resolution, December 8, 1949: Reference of China Item to Interim Committee

(Vote: 32 in favour, 5 against, 17 abstentions (including Canada))

The General Assembly,

Considering that item 68 of the agenda regarding threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945, and from Soviet violations of the Charter of the United Nations is of special importance, involves the fundamental principles of the Charter and the prestige of the United Nations and requires further examination and study,

Considering further the resolution on the promotion of the stability of international relations in the Far East;

Decides to refer item 68 of the agenda, and any charges of violations of the principles contained in the above-mentioned resolution, to the Interim Committee of the General Assembly for continuous examination and study in the light of that resolution, and to report to the next regular session of the General Assembly with recommendations, or to bring it to the attention of the Secretary-General with a view to reporting to the Security Council if it deems it necessary to do so as a result of the examination or of the state of the matter submitted to it for study.

Appendix 25

General Assembly Resolution, November 16, 1949: Technical Assistance for Economic Development

(Vote: Unanimous)

The General Assembly,

Having considered the Economic and Social Council's resolution 222 (IX)A of 15 August 1949 on an expanded programme of technical assistance for economic development,

1. *Approves* the observations and guiding principles set out in Annex I of that resolution and the arrangements made by the Council for the administration of the programme;

2. *Notes* the decision of the Council to call a Technical Assistance Conference to be convened by the Secretary-General in accordance with the terms of paragraphs 12 and 13 of the Council resolution;

3. *Authorizes* the Secretary-General to set up a special account for technical assistance for economic development, to be available to those organizations which participate in the expanded programme of technical assistance and which accept the observations and guiding principles set out in Annex I of the Council resolution and the arrangements made by the Council for the administration of the programme;

4. *Approves* the recommendations of the Council to Governments participating in the Technical Assistance Conference regarding financial arrangements for administering contributions, and authorizes the Secretary-General to fulfil the responsibilities assigned to him in this connexion;

5. *Invites* all Governments to make as large voluntary contributions as possible to the special account for technical assistance.

Appendix 26

Excerpts from Canadian Statement, Economic Committee, October 28, 1949: Full Employment

The Australian resolution which we have before us is well-balanced and comprehensive. The Canadian Delegation will support it. We feel it inappropriate to consider a more detailed resolution until we have before us proper documentation . . .

The Canadian Delegation cannot support the draft resolution introduced by the Delegate of Czechoslovakia because the resolution attempts to set forth specific recommendations of the sort that the ad hoc committee of experts may be expected to consider in making its report. We will oppose the Czechoslovak draft because it seeks to enumerate particular legislative measures.

As is recognized in the Australian resolution, national action is one of the basic requirements for ensuring full and productive employment. Of course, international measures must be considered and adopted. Nevertheless, the subject cannot be disposed of by shifting to international bodies the domestic responsibility which rests upon individual governments.

The Delegate of China has, as usual, reduced the problem to its simple elements. Industrialization is a comparatively new thing. As he said, 150 years ago it was unknown. It has grown and developed rapidly, more especially during the past 50 years. Rapid industrial growth produces a *dynamic* economy which in turn requires *dynamic* and not static measures to direct it. The rigid panaceas suggested by the Czechoslovak resolution lack the flexibility which only democratic national legislative bodies can give. Examples of these dynamic and flexible measures have been outlined by the Delegates of the United States, United Kingdom, New Zealand and others, varied according to the respective needs of each country and the desire of its people. We in Canada use methods suited to our people and our conditions, most of which have been outlined in the comprehensive reply which our Government made to the questionnaire sent out by the Secretary-General. I shall not repeat them here.

The countries where free enterprise has developed to the greatest extent have freely elected governments which provide the flexibility and responsiveness to public opinion which make it possible for these countries to harness and utilize the giant, industrialization. On the other hand, there are certain reactionary groups who would put the world in a bed of Procrustes and chop off the heads or stretch the limbs of human beings to make them fit the bed. They would readily accept the dictatorship of a small ruling class. The resolution, proposed by the Delegate of Czechoslovakia, appears to us to savour of such a reactionary approach.

In Canada, matters affecting employment are the responsibility of our legislative bodies both federal and provincial. These legislative bodies are elected by and are responsible to all the people, including the members of trade unions. Trade unionists are numbered among the members of our legislative bodies, as are representatives of many and varied occupations. Our Government could not continue in office if it were not responsive to the wishes of the people. If the people of Canada wish legislation, I can assure you, Mr. Chairman, that they soon make their wants known. And furthermore, they have no fear of the consequences which in some countries would result from criticism of the policy pursued by the government of the day.

The resolution introduced by the Delegate of Czechoslovakia does not, in our opinion, have as its purpose the welfare of our peoples. We reached this conclusion after considering the resolution together with the speeches made by its sponsor, the Delegate of Czechoslovakia, and its supporters, the Delegate of Poland and the Delegate of the Byelorussian SSR. We must consider the resolution and its sponsorship together, because the speech of the Czechoslovak Delegate gave the reasons why the resolution is put forward. He gave us a clear insight into the intentions of the sponsors.

The resolution is essentially the same resolution as that which was roundly defeated at the last session of the Economic and Social Council. It is essentially the same old horse with a new set to its tail.

The Delegate of Czechoslovakia—it was he who first compared his resolution to a horse—said that when the horse was trotted out before the Council, that body did not consider the animal solely on its merits. Well, it seems to me to be elementary common sense that when you are deliberating on what horse you will put your money you look at more than the horse. For one thing, you are careful to examine its pedigree. For another, you take a long and careful look at the jockey.

At the race-course it is not so easy to make up your mind because you have to guess at the intentions of the jockey, but here our Czechoslovak colleague has made it unnecessary for us to guess at his intentions; he has made them abundantly clear. He proposes to ride this horse in the wrong direction, off the course which over fifty of the members of the United Nations consider to be the right course to economic well-being for their people. He left us in no doubt. He began his speech with an attack on our system of free enterprise and went on to say that unemployment was an incurable disease of our system. If it is incurable, his intention surely cannot be to offer us a cure.

No, I think we can rightly regard this resolution as just one more propaganda drive against our system of free enterprise. The attack is not new and some old devices have been used. The devices include what I might call the "orphan statistic" and the "ephemeral authority".

The orphan statistic has no relations; it is alone in the world. For example, the number of unemployed unrelated to the number of employed, unrelated to seasonal fluctuations, unrelated to local conditions, unrelated to anything. . . .

The second device which our colleagues from the Sovietized countries use is the ephemeral authority. This authority is the author who writes a book of, let us say, 400 pages. On page 168 he writes something which suits the argument of the Communist Delegate. The author becomes an authority at the top of page 168. He ceases to be an authority at the bottom of page

168 and we never hear another word about the poor fellow! Another example is the quotation from an article, preferably in an obscure newspaper or magazine totally unrepresentative of general public opinion as if the writer were the spokesman of the nation.

I admit that we make it easy for the Sovietized delegations to quote the orphan statistic and the ephemeral authority. When we are asked to report to the United Nations on the measures we are taking with respect to full employment and possible unemployment, we report fully. Canada, along with many other countries, has submitted detailed accounts. It may be that I can agree with the Representative of Czechoslovakia on one point. I understood him to say that the Secretary-General should prepare his statement of the world economic situation next year on the basis of reports from member countries. I hope that the statement next year will contain statistics or reliable estimates from all member countries, as well as from other nations. I find upon reading Document A/C.2/168 that table after table contains in its heading "(Excluding USSR)", and there is not even a mention of the Byelorussian or Ukrainian SSR's.

We in Canada have tackled the problems of unemployment; we have coped with them with encouraging success; and we have reported openly what we have done. Certain Eastern European countries have told the United Nations something like this: "No such problem exists in our countries. Everyone works except when they are being moved from job to job." We should like to know more about just how everyone works, at what everyone works, and what return a worker gets for his labours.

As the Delegate of New Zealand has pointed out, full employment is not an end in itself. The end that we should be seeking in this committee is to improve the minimum as well as the average standard of living of our people. As several delegates have said, we are not dealing with *figures* relating to employment and unemployment; we are dealing with *human beings.* The object of full employment is to ensure that no person shall suffer as a result of economic adjustments beyond his own control.

Of course, Mr. Chairman, unemployment is not the only cause of a low standard of living. One which has been dwelt on at some length is under-employment, and there is also non-productive employment, with which the Australian Delegate dealt briefly but usefully yesterday morning. Far worse, however, than the results of unemployment or under-employment is the debasing standard of living which accompanies forced labour.

Full employment in the sense of Articles 55 and 56 of the Charter does not mean merely that everyone is at work. If it did, a state of slavery would meet the requirements of the Charter. There is one worry that a slave does not have; he does not have the fear that there will be no work for him to do.

While everything we do with respect to employment is open knowledge and every opinion we hold is freely aired, the delegates from Sovietized countries tell us merely "We are not concerned with such problems". But we of the other delegations *are* deeply concerned. However, we are kept in the dark about the state of millions of our fellow-men prevented by their governments from free association and communication with us.

In short we have our doubts about this attempt to tell us what is good for us and our economic system. You will note that the medicine is intended for us. The preamble of the Czechoslovak resolution tries to exclude the Sovietized countries by saying "member states suffering from unemployment", and they claim that unemployment cannot exist in their countries.

The Communist Delegations have proclaimed that our system of free enterprise is doomed. We have reason to believe that they will do what they can to make their own prophecy come true.

Therefore, after looking at the draft resolution introduced by the Delegate of Czechoslovakia, together with the statements made in its support, the Delegation of Canada intends to oppose the resolution. We shall rely on the Australian draft resolution, which offers a helpful and reasonable method of approaching the problem which is before us.

Appendix 27

Canadian Statement, Social Committee, November 12, 1949: Refugees and Stateless Persons

Canada has been, from the first, a strong and consistent supporter of the IRO. Canada contributed $5,415,000. to the budget of the Organization for 1948-49. Up to March 31 of this year, my country received 64,800 displaced persons, and the necessary authorization has been secured to admit a total of 100,000 persons. We are, quite naturally, concerned with this problem and my Government has a vital interest that some arrangement be made to handle the continuing problem of refugees following the termination of IRO activities.

The Secretary-General's recommendation for the appointment of a High Commissioner who would report to the General Assembly through the Economic and Social Council, and who would comply with the directives received from the Assembly and the Council, meets our position and we are, therefore, prepared to support it.

This solution appeals to us mainly on two grounds. First, the prominent stature of the High Commissioner and his activities will be a constant reminder to the members of the United Nations, of the importance of the problem of refugees and an incentive to work towards its solution. If this problem were to be handled at this stage by the Secretariat of the U.N. there may soon develop a tendency to treat this matter as a purely administrative one at a time when its amplitude clearly calls for a different treatment. Secondly, the close relationship envisaged between the proposed High Commissioner's Office and the U.N. Secretariat will make it relatively easy, at a later stage when the proportion of the problem is reduced, to incorporate the continuing elements of this problem into the Secretariat of the U.N., should this prove desirable at the time.

Furthermore, Mr. Chairman, we believe that the present session of the Assembly should not only decide on the establishment of a High Commissioner's Office, but should also lay down the general principles which should govern the activities of the High Commissioner. This is one of the great merits of the resolution introduced by the Representative of France and we therefore are in agreement with his approach to the problem. If we were, at this stage, only to ask the Secretary-General to prepare a draft resolution for the consideration of ECOSOC and the General Assembly at its next session, without giving him the benefit of the General Assembly's views on the general principles of the organization and its functions, I am afraid that this would only amount to a postponement of the discussion of this problem.

An essential prerequisite before the functions of the High Commissioner can be determined, is a proper definition of the categories of refugees which should come under the mandate of the High Commissioner's Office. I have noted with pleasure that the French Delegation has deleted from its original resolution, the phrase "The Powers of the High Commissioner shall extend to all refugees". In our view, it would be unrealistic to envisage giving to the High Commissioner, responsibility for all refugees wherever they may be now or in the future. On the other hand, we recognize the problem involved in securing agreement on the part of governments all over the world for a refugee organization to which they would all contribute and which in its work would be limited to European refugees. These difficulties have been expressed by the Representative of Pakistan. For this reason, we would suggest that, in deciding upon the general principles on which the High Commissioner's Office should be organized, it should be agreed by the present Assembly that the High Commissioner's responsibilities should extend to all refugees as defined under the IRO constitution plus any group or category of refugees specifically designated, by the General Assembly or the Economic and Social Council, at any time as a further responsibility of the High Commissioner.

The problem of the functions of the High Commissioner's Office is of course one that deserves careful consideration. We recognize that the primary purpose of the High Commissioner's Office should be the legal protection of refugees, but at the same time, it would be unrealistic not to anticipate that a large number of persons now under the mandate of the IRO will be unable to care for themselves when the IRO terminates its activities and the United Nations will have to make some arrangement for their care and maintenance. It is almost certain that, for this group, the High Commissioner may have to be granted authority to give material assistance. There will also probably be, from time to time, other groups of refugees who, for emergency periods, will have to be assisted internationally. There should be, therefore, a provision in the definition of the functions of the High Commissioner whereby he could recommend to the Assembly or the Economic and Social Council the granting of material assistance for specific categories of refugees.

Certain delegations have shown a reluctance to envisage the necessity of material assistance. I am afraid, Mr. Chairman, that whether we want it or not, this problem will continue to confront us. Our concern here should therefore be to agree on the general principles under which material assistance may be provided. First, it should be carried on a separate budget, as distinct from the administrative costs of the High Commissioner's Office. Second, it should be collected on a voluntary basis. Third, recognizing that the problem of refugees is international in scope, it should be contributed by all responsible governments. Fourth, it should be provided for only with the approval of the General Assembly or ECOSOC, thus giving the various governments an ample opportunity for study and consultation.

Before leaving the subject of the functions of the High Commissioner, I should like to emphasize that, in our opinion, the High Commissioner should not concern himself with any problem outside legal assistance or with any groups of refugees outside those included in the IRO Constitution unless he is so authorized by the Assembly or ECOSOC. We therefore agree with the wording of paragraph (b) of Chapter III of the French resolution which now reads "The High Commissioner shall seek, initiate and facilitate the execution of the most suitable solution to legal problems affecting refugees under his jurisdiction." We would go a step further and say that there is no need to state that a problem concerning refugees may be referred to the High Commissioner by the United Nations, as this is quite obvious.

We have, however, some misgivings about paragraph (d) of Chapter III of the Annex. It seems to us that the last words of that paragraph ". . . and to improve the condition of refugees" are not sufficiently clear. Do they refer to an improvement of the legal status or the economic and social conditions of refugees? Do these words mean that the High Commissioner may normally use his budgetary resources for other purposes than the improvement of the legal conditions of the refugees, and the other functions defined in the resolution?

In order to eliminate any possible misunderstanding, my Delegation would like to eliminate these words and replace them by some phrase along these lines: "The High Commissioner may recommend, to the General Assembly or ECOSOC, the granting of material assistance for specific categories of refugees."

As for the details of organization, including personnel requirements, we assume that they will be contained in the Secretary-General's detailed plan which would be submitted to ECOSOC at its Eleventh Session. I only wish to state here that my Delegation's main concern is that an efficient and economical organization should be established and that its administrative cost be a charge to the regular U.N. budget. Once this Committee has reached agreement on the basic functions that will be performed by the High Commissioner's Office, the Secretary-General will be in a position to submit recommendations regarding the actual administrative budget of the organization. Presumably these recommendations will be carefully examined by the Advisory Committee on Administrative and Budgetary Questions, which will report on it to the Fifth Committee. At that stage my Delegation will avail itself of the opportunity to make any further suggestions aimed at achieving the highest standards of economy and efficiency consistent with the satisfactory fulfilment of the wishes of this Committee.

The French resolution envisages the appointment of the High Commissioner by the General Assembly. My Delegation doubts the wisdom of having the High Commissioner appointed directly by this legislative body of the United Nations. It seems to us that a more normal procedure and one which is likely to ensure the appointment of the most suitable person to this post would be for the Secretary-General to nominate the High Commissioner upon the approval of the Economic and Social Council.

Appendix 28

General Assembly Resolution, December 3, 1949: Refugees and Stateless Persons

(Vote: 35 in favour (including Canada), 7 against, 13 abstentions)

The General Assembly,

Considering that the problem of refugees is international in scope and nature and that its final solution can only be provided by the voluntary repatriation of the refugees or their assimilation within new national communities,

Recognizing the responsibility of the United Nations for the international protection of refugees,

Having examined resolution 248 (IX)A of the Economic and Social Council of 6 August 1949; the report of the Secretary-General of 26 October 1949; and the communications from the General Council of the International Refugee Organization of 11 July 1949 and of 20 October 1949,

Considering that in its aforementioned resolution the Economic and Social Council requested the Governments of States Members of the United Nations, and of other States, to provide the necessary legal protection for refugees who have been the concern of the International Refugee Organization and recommended that the General Assembly at its fourth session should decide the functions and organizational arrangements, within the framework of the United Nations, necessary for the international protection of refugees after the International Refugee Organization terminates its activities.

1. *Decides* to establish, as of 1 January 1951, a High Commissioner's Office for Refugees in accordance with the provisions of the annex to the present resolution to discharge the functions enumerated therein and such other functions as the General Assembly may from time to time confer upon it;

2. *Decides* that, unless the General Assembly subsequently decides otherwise, no expenditure other than administrative expenditures relating to the functioning of the High Commissioner's Office should be borne on the budget of the United Nations, and that all other expenditures relating to the activities of the High Commissioner should be financed by voluntary contributions;

3. *Requests* the Secretary-General:

   (a) To prepare detailed draft provisions for the implementation of the present resolution and the annex attached thereto, to circulate these draft provisions to Governments for comments, and to submit them to the Economic and Social Council at its eleventh session, together with such comments thereon as may have been received from Governments;

   (b) To prepare, in consultation with the Advisory Committee on Administrative and Budgetary Questions, a draft budget for the operation in 1951 of the High Commissioner's Office for Refugees;

4. *Requests* the Economic and Social Council:

(a) To prepare, at its eleventh session, a draft resolution embodying provisions for the functioning of the High Commissioner's Office for Refugees and to submit the draft resolution to the General Assembly for consideration at its fifth regular session;

(b) To transmit to the General Assembly at its fifth regular session such recommendations as the Council may deem appropriate regarding the definitions of the term "refugee" to be applied by the High Commissioner;

5. *Decides* to review, not later than at its eighth regular session, the arrangements for the High Commissioner's Office for Refugees with a view to determining whether the Office should be continued beyond 31 December 1953.

ANNEX

1. The High Commissioner's Office for Refugees should:

(a) Be so organized within the framework of the United Nations as to possess the degree of independence and the prestige required for the effective performance of the High Commissioner's duties;

(b) Be financed under the budget of the United Nations; and

(c) Receive policy directives from the United Nations according to methods to be determined by the General Assembly.

2. Means should be provided whereby interested Governments, non-members of the United Nations, may be associated with the work of the High Commissioner's Office.

3. Persons falling under the competence of the High Commissioner's Office for Refugees should be, for the time being, refugees and displaced persons defined in Annex I of the Constitution of the International Refugee Organization and, thereafter, such persons as the General Assembly may from time to time determine, including any persons brought under the jurisdiction of the High Commissioner's Office under the terms of international conventions or agreements approved by the General Assembly.

4. The High Commissioner, in order to promote, stimulate and facilitate the execution of the most suitable solution to the problem with which he is entrusted, should provide for the protection of refugees and displaced persons falling under the competence of the Office by:

(a) Promoting the conclusion and ratification of international conventions providing for the protection of refugees, supervising the application of the provisions of such conventions, and proposing any necessary amendments thereto;

(b) Promoting through special agreements with Governments, the execution of any measures calculated to improve the situation of refugees and to reduce the number of refugees requiring protection;

(c) Assisting Governments and private organizations in their efforts to promote voluntary repatriation of refugees or their assimilation within new national communities;

(d) Facilitating the co-ordination of the efforts of voluntary agencies concerned with the welfare of refugees.

5. The High Commissioner should distribute among private and, as appropriate, official agencies which he deems best qualified to administer such assistance any funds, public or private, which he may receive for this purpose. He should not, however, appeal to Governments or make a general appeal to non-governmental sources except with the prior approval of the General Assembly. The accounts relating to these funds should be periodically verified by the auditors of the United Nations. For the information of the General Assembly, the High Commissioner should include in his annual report a statement of his activities in this field.

6. The High Commissioner should engage in such additional activities, including repatriation and resettlement activities, as the General Assembly may determine.

7. The High Commissioner should report annually on his work to the General Assembly through the Economic and Social Council.

8. The High Commissioner's work should be of an entirely non-political character and relate as a rule to groups and categories of refugees. In the performance of his duties he should:

(a) Keep in close touch with the Governments and inter-governmental organizations concerned and invite the assistance of the various specialized agencies;

(b) Establish contact in such manner as he may think best with private organizations dealing with refugee questions.

9. The High Commissioner should be elected by the General Assembly, on the nomination of the Secretary-General, for a term of three years from 1 January 1951.

10. The High Commissioner should appoint for a period of three years a deputy High Commissioner, who should not have the same nationality as the High Commissioner. He should also appoint, under the regulations of the United Nations a small staff of persons devoted to the purposes of the Office to assist him.

11. The High Commissioner should consult the Governments of the countries of residence of refugees as to the need for appointing representatives therein. In any country recognizing such need, he may appoint a representative approved by the Government of that country. Subject to the foregoing, the same representative may serve in more than one country.

12. The High Commissioner's Office for Refugees should be located in Geneva.

Appendix 29

General Assembly Resolution, December 6, 1949, South-West Africa: Reiteration of previous resolutions

(Vote: 33 in favour, 9 against, 10 abstentions (including Canada))

Whereas the General Assembly noted, in resolution 141 (II) of 1 November 1947, that the Government of the Union of South Africa had undertaken to submit reports on its administration of the Territory of South-West Africa for the information of the United Nations,

Whereas, in resolution 227 (III) of 26 November 1948, the General Assembly recommended that the Government of the Union of South Africa continue to supply annually information on the administration of the Territory of South-West Africa,

Whereas the Government of the Union of South Africa in a letter to the Secretary-General of 11 July 1949, which was transmitted to the Member States, stated that no further reports would be forwarded,

Whereas the Trusteeship Council, in resolution 111 (V) of 21 July 1949, has called to the attention of the General Assembly the decision of the Government of the Union of South Africa not to transmit further reports and has informed the General Assembly that this decision precludes the Trusteeship Council from exercising further the functions envisaged for it in resolution 227 (III) of 26 November 1948,

The General Assembly,

1. *Expresses regret* that the Government of the Union of South Africa has withdrawn its previous undertaking, referred to in resolution 141 (II) of 1 November 1947, to submit reports on its administration of the Territory of South-West Africa for the information of the United Nations;

2. *Reiterates* in their entirety General Assembly resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947 and 227 (III) of 26 November 1948;

3. *Invites* the Government of the Union of South Africa to resume the submission of such reports to the General Assembly and to comply with the decisions of the General Assembly contained in the resolutions enumerated in the preceding paragraph.

Appendix 30

General Assembly Resolution, December 6, 1949: South-West Africa: Request for advisory opinion of International Court of Justice

(Vote: 40 in favour (including Canada), 7 against, 4 abstentions)

The General Assembly,

Recalling its previous resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947 and 227 (III) of 26 November 1948 concerning the Territory of South-West Africa, *Considering* that it is desirable that the General Assembly, for its further consideration of the question, should obtain an advisory opinion on its legal aspects,

1. *Decides* to submit the following questions to the International Court of Justice with a request for an advisory opinion which shall be transmitted to the General Assembly before its fifth regular session, if possible:

> What is the international status of the Territory of South-West Africa and what are the international obligations of the Union of South Africa arising therefrom, in particular:
>
> (a) Does the Union of South Africa continue to have international obligations under the Mandate for South-West Africa and, if so, what are those obligations?
>
> (b) Are the provisions of Chapter XII of the Charter applicable and, if so, in what manner, to the Territory of South-West Africa?
>
> (c) Has the Union of South Africa the competence to modify the international status of the Territory of South-West Africa, or, in the event of a negative reply, where does competence rest to determine and modify the international status of the Territory?

2. *Requests* the Secretary-General to transmit the present resolution to the International Court of Justice, in accordance with Article 65 of the Statute of the Court, accompanied by all documents likely to throw light upon the question.

The Secretary-General shall include among these documents, the text of article 22 of the Covenant of the League of Nations; the text of the Mandate for German South-West Africa, confirmed by the Council of the League on 17 December 1920; relevant documentation concerning the objectives and the functions of the Mandates System; the text of the resolution adopted by the League of Nations on the question of Mandates on 18 April 1946; the text of Articles 77 and 80 of the Charter and data on the discussion of these Articles in the San Francisco Conference and the General Assembly; the report of the Fourth Committee and the official records, including the annexes, of the consideration of the question of South-West Africa at the fourth session of the General Assembly.

Appendix 31

Canadian Statement, Administrative and Budgetary Committee, October 7, 1949: Scale of Assessments

My Delegation was very interested in the observations by the Chairman of the Committee on Contributions on her Committee's recommendations for a 1950 scale of assessments for the United Nations. She has indicated clearly and explicitly the many difficulties which have frustrated the Committee in its work to date and has described the important underlying factors which have led it to its conclusions. My Delegation joins with others in expressing to her and to her colleagues our deepest appreciation for their conscientious efforts in this important (though somewhat thankless) task.

Above all, I wish to give personal assurance that there is no disposition on the part of my Delegation to minimize past efforts or to underestimate future obstacles.

However, despite our appreciation for what has already been accomplished, I must re-emphasize today the basic conviction of the Canadian Delegation that the time has come for redoubled efforts to effect improvements in the scale now in use. I am not going to repeat in detail the very obvious reasons for this conclusion. It is only necessary to agree with the others who have already stressed that unless the burdens of the United Nations are equitably and justly shared by all its members, the effect on the public at large and upon national legislatures, in particular, can only be unfavourable and detrimental to the long-range interests of this organization.

I do not think that I need stress that we in Canada have always accepted our full share of responsibility for financing activities of the United Nations. We have been pleased to do so and will continue to do so to the extent that is equitable and just. However, we have felt for some time that the Canadian share is relatively higher than it should be on a purely objective basis. Now we feel that the time has come when certain other countries which, by their own claims have experienced rapid and substantial improvements in their basic economic position, should also be prepared to accept their fair share of the expenses of the United Nations. My Government is only too well aware of the many difficulties certain countries have faced in attempting to overcome the dislocations and devastation of war. But the difficulties of the past can hardly be accepted as justification for the unlimited avoidance of current and future responsibilities. The representatives of certain important member states represented here today, which were given important and substantial exemptions in the original scale of assessments adopted in 1946, have given wide publicity to the tremendous and rapid improvement in their economic and financial circumstances. We in Canada feel that it is only reasonable to expect that the contribution of these states should reflect, in some small measure at least, this increase in their basic capacity to pay. I have not selected these particular examples because of any malice toward the governments of the countries concerned, but rather because in these cases the facts seem to point to an unavoidable conclusion. It is possible that on closer examination this conclusion might not be fully supportable but, Mr. Chairman, if that is the case, my Delegation feels that it is only fair to this Assembly, to the Committee on Contributions, and particularly to the countries concerned, to ensure that any misunderstandings based on inadequate information or unsatisfactory evidence should be corrected immediately. I feel certain that my Government and, indeed, every government represented in this Committee, would not wish to pay less than its fair share of the load. I regret that at the moment this does not appear to be the case. Therefore, I submit, on behalf of the Canadian Delegation, that until the Committee on Contributions is given all the information necessary to the development of a scale based on facts rather than on presumption, we shall not be in a position to distribute the costs of the United Nations on a fair and just basis.

Many of you will recall the position taken by the Canadian Delegation during discussion of the contribution scale for 1949. At that time, although we were not convinced that the proposed scale was equitable, we expressed our willingness to accept it for one more year. It was, we agreed, probably as good a scale as could be devised with the information then available.

However, we also stressed our belief that by 1950, at the latest, the Committee on Contributions ***with the full cooperation of all member states*** should be in a position to make definitive recommendations and to propose a scale more in keeping with the true facts. We were, therefore, most interested in the information provided by the Chairman of the Contributions Committee on the statistics received by her Committee during the past year. I will not deny that my Delegation was intensely disappointed to find that, despite definite improvement, the Committee is still handicapped by wide gaps in the information at its disposal. It would appear that the hopes we expressed last year have proved unduly optimistic and incapable of early fulfilment. Although we realize that for many countries there are, and may continue to be, very sound reasons which will prevent them from providing adequate statistics, there would appear to be many others where this does not seem to be the case. My Delegation joins with others who have stressed that this situation must not be permitted to continue from year to year. In this connection, there seems to be considerable merit in the suggestion by the Brazilian Representative that the Committee on Contributions in its report next year, should indicate clearly to the Assembly those states which are not providing adequate information. We would hope that the report of our rapporteur will carry a clear directive to that effect.

However, although it is evident that my Delegation is not satisfied with the present situation, we are not unmindful of the difficulty, if not the absolute impossibility, of attempting in this Committee to carry out the formidable and complex task which even the experts on the Committee on Contributions, found beyond their reach and resources this year. Therefore, in a spirit of cooperation and accommodation, and in order to expedite the work of this Committee, the Canadian Delegation will accept the recommendations of the Committee on Contributions for 1950 as the best that can be provided at this time. In doing so, I wish to stress again our earnest hope that this situation will not be repeated next year. We would, of course, find it necessary, if the present scale is reopened, to take whatever action may be necessary to safeguard our own position. Under no circumstances could we consider a contribution which would further increase the inequities within the present scale.

Having expressed ourselves generally on the report of the Committee on Contributions, I should like to deal with a few of the main observations made by certain representatives in the debate yesterday. I have already mentioned in passing the recommendation of the Brazilian Delegation. To this recommendation my Delegation gives its full support.

We were also interested in the observations by the Australian Delegate who, if we understood him correctly, expressed the hope that the Committee on Contributions would apply the ceiling principles agreed upon by the Assembly last year with caution so as to avoid imposing an undue burden on certain members of the United Nations. Speaking as the representative of the delegation which was largely instrumental in having the principle of the per capita ceiling adopted last year, I should like to assure the Representative of Australia that there is no intention or desire on the part of my Delegation to shift to any other member state any financial burden which its own economic circumstances do not clearly enable it to accept. I would further express sincere doubts that any of the dire consequences for the United Nations which he seemed to envisage could ever in fact occur. At the moment, no member state is affected *at all* by the application of the per capita principle. Furthermore, as long as the United States' contribution is reduced gradually toward the ceiling, other states would be affected only slightly and not at all if there were offsetting increases in the relative capacity to pay of other states. I am sure that he is aware that the present scale already provides very high exemptions for those countries which suffered wartime devastation and dislocation. As the incidence of the war recedes, the necessity for, and therefore the effect of, these exemptions will automatically, though gradually, disappear. My Delegation feels that it would not be at all difficult to demonstrate statistically and financially that in a scale based either on the present or prospective economic circumstances of the present member states of the United Nations, no state would be seriously affected by the application of the per capita principle. We do agree, however, with him that it is necessary for the Committee on Contributions to apply both the over-all and the per capita ceiling principles with full regard to the economic circumstances of all member states. I feel certain that the Delegate of the United States would join with me in assuring other countries that there is absolutely no desire on the part of either of our governments to transfer to others financial burdens which they are incapable of supporting. Above all, Mr. Chairman, I am certain that neither the Representative of Australia nor any other delegate in this Committee would wish to be placed in a position where he would find it necessary to justify to his own national legislature the payment of a per capita contribution which exceeds that of the United States. I am certain, therefore, that there is no desire in this Committee to repudiate the principle agreed upon last year.

The Representative of Australia also suggested that the Committee on Contributions might develop a statistical scale which might be used not only by the United Nations but also by all the specialized agencies as a basis for their own contribution scales. We assume that the Australian Representative had in mind the preparation of statistical data which might be used by these agencies as a basis for their own calculations. If this assumption is correct, my Delegation would have no objection to this extension of the functions of the Committee on Contributions, providing of course that it has the time and facilities to devote to this additional work. However, we would strongly oppose any suggestion that this Assembly should attempt in any way to impose its own principles for assessment of contributions on any specialized agency. In this particular field the governing bodies and general conferences of the agencies must clearly have full jurisdiction and final responsibility.

Finally, Mr. Chairman, my Delegation also agrees that the Secretary-General should again be given authority during 1950 to accept currencies other than United States dollars to the extent that these can be used for the normal operations of the United Nations. We assume that a resolution similar to that adopted last year would grant the Secretary-General the necessary authority to accept these other currencies.

Appendix 32

General Assembly Resolution, December 10, 1949: Budget Appropriations for the Financial Year 1950

(Vote: 48 in favour (including Canada), none against, 7 abstentions)

The General Assembly,

Resolves that for the financial year 1950

1. An amount of $US 49,641,773 is hereby appropriated for the following purposes:

A. UNITED NATIONS

	Dollars (*US*)	*Dollars* (*US*)	*Dollars* (*US*)
PART I. *Sessions of the General Assembly, the Councils, Commissions and Committees*			
1. The General Assembly and commissions and committees thereof		1,326,960	
2. The Security Council and commissions and committees thereof		357,600	
3. The Economic and Social Council and commissions and committees thereof	325,390		
(a) Permanent Central Opium Board and Drug Supervisory Body	39,900		
(b) Regional economic commissions	53,560		
		418,850	
4. The Trusteeship Council and commissions and committees thereof		175,750	
TOTAL, PART I			2,279,160
PART II. *Special conferences, investigations and inquiries*			
5. Special conferences		53,600	
6. Investigations and inquiries	3,417,700		
(a) United Nations Field Service	337,000		3,808,300
(b) Permanent international regime for the Jerusalem area and protection of the Holy Places	8,000,000		
		11,754,700	
TOTAL, PART II			11,808,300

	Dollars (US)	Dollars (US)	Dollars (US)
PART III. *Headquarters, New York*			
7. Executive Office of the Secretary-General		512,000	
(a) Library		449,500	
8. Department of Security Council Affairs		841,200	
9. Military Staff Committee Secretariat		144,800	
10. Department of Economic Affairs		2,450,000	
11. Department of Social Affairs		1,689,500	
12. Department for Trusteeship and Information from Non-Self-Governing Territories		935,000	
13. Department of Public Information		3,264,250	
14. Department of Legal Affairs		527,300	
15. Conference and General Services		8,731,200	
16. Administrative and Financial Services		1,720,000	
17. Common staff costs		3,888,000	
18. Common services		2,110,300	
19. Permanent equipment		241,800	
TOTAL, PART III			27,504,850
PART IV. *United Nations Office at Geneva*			
20. The European Office (excluding direct costs, chapter III, secretariat of the Permanent Central Opium Board and Drug Supervisory Body)	4,141,990		
Chapter III, the secretariat (direct costs) of the Permanent Central Opium Board and Drug Supervisory Body	53,410		
		4,195,400	
TOTAL, PART IV			4,195,400
PART V. *Information Centres*			
21. Information centres (other than information services, European Office)		839,550	
TOTAL, PART V			839,550
PART VI. *Regional Economic Commissions (Other than the Economic Commission for Europe)*			
22. Economic Commission for Asia and the Far East		686,850	
23. Economic Commission for Latin America		525,500	
TOTAL, PART VI			1,212,350

	Dollars (*US*)	Dollars (*US*)	Dollars (*US*)
PART VII. *Hospitality*			
24. Hospitality		20,000	
TOTAL, PART VII			20,000
PART VIII. *Technical programmes*			
25. Advisory social welfare functions		635,900	
(a) Technical assistance for economic development		539,000	
(b) International Centre for training in public administration		149,500	
TOTAL, PART VIII			1,324,400
PART IX. *Special expenses*			
26. Transfer of assets of the League of Nations to the United Nations		533,768	
TOTAL, PART IX			533,768
B. INTERNATIONAL COURT OF JUSTICE			
PART X. *The International Court of Justice*			
27. The International Court of Justice		634,765	
TOTAL, PART X			634,765
C. SUPPLEMENTARY PROVISIONS			
PART XI. *Global reduction on account of contractual printing and devaluation of certain currencies*			
28. Global reduction on provisions for contractual printing			-(210,770)
29. Global reduction on account of devaluation of currencies			-(500,000)
TOTAL, PART XI			-(710,770)
Grand total, after reduction			49,641,773

2. The appropriations granted by paragraph 1 shall be financed by contributions from Members after adjustment as provided by regulation 17 of the Provisional Financial Regulations. For this purpose, miscellaneous income for the financial year 1950 is estimated at $US 5,091,740.

3. Amounts not exceeding the appropriations granted by paragraph 1 shall be available for payment of obligations in respect of goods supplied and services rendered during the period 1 January 1950 to 31 December 1950.

4. The Secretary-General is authorized:—

   (i) To administer as a unit the appropriations provided under section 3(a) and section 20, chapter III;

   (ii) To apply the reduction under section 28 to the various sections of the budget concerned;

   (iii) To apply the reduction under section 29 to the various sections of the budget concerned;

   (iv) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget.

5. In addition to the appropriations granted by paragraph 1, an amount of $US 14,000 is hereby appropriated for the purchase of books, periodicals, maps and library equipment from the income of the Library Endowment Fund, in accordance with the objects and provisions of the endowment.

Appendix 33

Percentage Scales of Contributions to the United Nations* and Certain Specialized Agencies for the Thirteen Main Contributing Countries

MEMBER STATES	United Nations	ILO	ICAO	WHO	FAO	UNESCO	IRO	
							1949-1950	
	1950 %	1950 %	1950 %	1950 %	1950 %	1950 %	Administrative Budget %	Operational Budget %
United States of America	39.79	22.00	18.24	36.00	27.10	37.82	39.89	45.75
United Kingdom	11.37	12.58	9.60	11.56	15.32	13.27	11.48	14.75
U.S.S.R.	6.34	—	—	6.38**	—	—	—	—
France	6.00	9.33	4.80	6.04	7.23	7.00	6.00	4.10
China	6.00	3.04	3.52	6.04	4.35	7.00	6.00	2.50
India	3.25	4.55	2.88	3.27	4.42	3.80	—	—
Canada	3.20	4.08	4.80	3.17	4.50	3.74	3.20	3.50
Sweden	1.98	2.22	2.56	1.67	1.80	—	—	—
Australia	1.97	2.68	3.20	1.90	2.82	2.30	1.97	1.76
Argentina	1.85	2.45	3.84	1.86	—	2.16	—	—
Brazil	1.85	3.39	3.20	1.86	2.70	2.16	—	—
Netherlands	1.40	1.16	3.20	1.41	1.59	1.63	1.40	0.90
Belgium	1.35	2.22	2.56	1.36	1.79	1.57	1.35	1.00

The International Monetary Fund and the International Bank for Reconstruction and Development are excluded from the above table since they are not financed by contributions. Also excluded are the Universal Postal Union, (the members of which, for purposes of determining contributions, belong to one of six classes ranging from 1 unit to 25 units), and the International Telecommunications Union, (whose members are divided into eight groups ranging from 1 unit to 30 units), as the method of assessment used by these organizations does not offer a basis of comparison with the scales of contributions of the other agencies.

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*For a complete table of the scales of contributions for all the members of the United Nation and the agencies, see General Assembly document A/C. 5/341.

**The U.S.S.R. gave notice of withdrawal from WHO early in 1949.

Appendix 34

Canadian Statement, Legal Committee, October 25, 1949: Draft Declaration on the Rights and Duties of States

The rights and duties of states are at the basis of all international law, as each one of us has been pleased to say here; and it follows, in my Delegation's opinion, that if we manage to treat the subject as it deserves, the Declaration on the Rights and Duties of States would be the beacon which would guide the International Law Commission in its subsequent endeavours. I recognize that we are still far from that ideal. There lie ahead of us many dangers which we shall have to guard against if we wish finally to arrive at success.

One of the greatest dangers, it seems to us, is that we may succumb to the temptation to pervert the language of law to the service of our political interests. Most certainly, insofar as we are representatives of our respective governments, we cannot and we should not ignore the political considerations which are linked with our problem. What I mean is that we must call political that which is political and law that which is law; our failure to do this would soon corrupt the text which has been submitted to us by the International Law Commission.

Another danger is that we may be too conscious of particular situations in which our respective countries may find themselves and that we introduce clauses which, even though they be legitimate in themselves, would upset the balance of the Declaration taken as a whole. That would open the way to subsidiary provisions, and would give us a halting and complicated text, lending itself to all sorts of controversy.

A third danger is that we go too fast either as a result of excessive zeal or because of too little.

Excessive zeal has brought about in the past several declarations which are now no more than historical relics, such as that presented by the Abbé Grégoire in 1793 and 1795. This was the period of the French Revolution and great was the enthusiasm of those who wished thus to complete the Declaration of the Rights of Man and of the Citizen, just as we would like to complete our Universal Declaration of Human Rights of December 10, 1948. The Secretariat's study which describes these proposals is instructive and one may draw from it the lesson that one must make haste slowly.

As for haste through lack of zeal, I have in mind at this point a procedure which would consist of our avoiding headaches by simply "noting" immediately the Declaration of the International Law Commission, and giving it our formal blessing without having taken the trouble to assure ourselves that it corresponds as much as it might be made to with what our governments expect. That would seem to me a singular way in which to "save" it or "to make it stand on its own feet", to use two expressions which we have heard during the course of the present debate. Undoubtedly, Mr. President, this Declaration, as the word indicates, will have of itself only a "declaratory" effect, that is to say one of a purely persuasive and moral nature. For my part, however, contrary to what has been expressed by the Delegate from the United States, I consider that the text which we have in front of us contains hardly anything more than positive international law such as governs the relations of the members of the United Nations among themselves. I would make an exception in the case of Article 6, but that exception is not a serious one, considering that the rights of men and their fundamental liberties form part of natural law and that, as a consequence, they should not be ignored by positive law. Under these conditions, my Delegation considers that we should be and must be capable of contemplating now the possibility of the future transformation of this Declaration under consideration into a Convention on the Rights and Duties of States, just as we are already thinking of moving on from the Universal Declaration of Human Rights to a Covenant on Human Rights. Finally my Delegation considers that, with a view to providing favourable conditions for the eventual conclusion of a Convention on the Rights and Duties of States, we must make as perfect as possible this draft Declaration which is in our hands. We must not abandon it before according it all our attention and all our efforts.

Having made these general observations, I now come to the practical question of the procedure to be adopted and I find myself very close to the thesis which was developed yesterday by the Delegate of Venezuela.

My Delegation, like his, is in favour of referring the draft Declaration to our governments after a general debate in this Committee. The Delegate from the U.S.S.R. maintained the other day that it was useless for us to discuss the draft Declaration in the course of the present session because it will come back to us next year. Such is not my opinion after what I have heard and learned from what has been expressed by the delegations which have had the floor before me. Their utterances have contained many valuable contributions which will facilitate the examination of the draft by our governments. Nevertheless, in the circumstances, I recognize and urge that we avoid entering into a detailed consideration of the individual articles.

Incidentally, I am unable to understand the argument of those who claim that our governments have been sufficiently consulted in this matter. They have clearly not had time to study the final text given to us by the International Law Commission. So far as my Delegation is concerned, regarding our consideration of the basic Panama draft, I must say that the three Canadian replies mentioned in the Commission's Report constitute only interim answers to the effect that our Government was not yet in a position to offer its comments. Besides, as the Delegation from Venezuela has pointed out, it is one thing to comment on a simple working draft and quite another thing to comment on a text which some of us wish to post up as a model of conduct for states. Next time, we shall not let it go by default.

So we must refer it to our governments; and, if you wish, to the "institutions engaged in the study of international law", as the draft Argentine resolution proposes.

In the second place, it would have seemed to me a normal course for the comments made by our governments and by institutions to be passed on to the International Law Commission as the draft resolution of Argentina also proposes. After the work which they have already done on the subject, the members of the Commission would be able to do a better job than anyone else in analyzing the comments and presenting the whole thing to us at the next Assembly. I agree, nevertheless, that the statements of the Delegates of Greece and Brazil have not been very encouraging on that score. If the other members of the Commission present here are also of the opinion that our discussions, followed by the comments of governments and institutions, have no chance of inducing them to modify the text which they have already furnished us, then it would perhaps be better not to disturb the members of the Commission in the tasks of codification which they are pursuing. In that case, if such were the desire of the majority of us, my Delegation would accept the proposal that the comments of governments and institutions might be referred directly to the Fifth General Assembly, after having been assembled by the Secretariat. It is a point upon which I should be pleased to learn the views of the other delegations.

That, Mr. President, is what my Delegation wanted especially to say regarding the second part of the Report of the International Law Commission. On the whole, my Delegation desires that we try further, although we have no illusions about the difficulties which await us. It may be that next year, after this endeavour, we may be forced to conclude that there is not sufficient agreement for us to approve, article by article, a revised text of the Declaration. In that case we should be reduced to approving a resolution of the kind which the Delegate of the United States has now submitted to us. Under such circumstances, my Delegation would then have no remorse in agreeing to such a resolution, for lack of anything better. But, I repeat, the importance of the subject prompts us in the first place to try for something better. It seems to me appropriate at this point to recall the magnificent words of a hero of the Netherlands, the classic land of international law, to the effect that it is not necessary to hope in order to undertake, or to succeed in order to persevere. We are for the courageous solution of the problem.

Appendix 35

Draft Declaration on the Rights and Duties of States prepared by the International Law Commission and included as an Annex to General Assembly resolution of December 6, 1949

(Vote: 34 in favour (including Canada), none against, 12 abstentions)

Whereas the States of the world form a community governed by international law,

Whereas the progressive development of international law requires effective organization of the community of States.

Whereas a great majority of the States of the world have accordingly established a new international order under the Charter of the United Nations, and most of the other States of the world have declared their desire to live within this order,

Whereas a primary purpose of the United Nations is to maintain international peace and security, and the reign of law and justice is essential to the realization of this purpose, and

Whereas it is therefore desirable to formulate certain basic rights and duties of States in the light of new developments of international law and in harmony with the Charter of the United Nations,

The General Assembly of the United Nations adopts and proclaims this Declaration on Rights and Duties of States.

Article 1

Every State has the right to independence and hence to exercise freely, without dictation by any other State, all its legal powers, including the choice of its own form of government.

Article 2

Every State has the right to exercise jurisdiction over its territory and over all persons and things therein, subject to the immunities recognized by international law.

Article 3

Every State has the duty to refrain from intervention in the internal or external affairs of any other State.

Article 4

Every State has the duty to refrain from fomenting civil strife in the territory of another State, and to prevent the organization within its territory of activities calculated to foment such civil strife.

Article 5

Every State has the right to equality in law with every other State.

Article 6

Every State has the duty to treat all persons under its jurisdiction with respect for human rights and fundamental freedoms, without distinction as to race, sex, language or religion.

Article 7

Every State has the duty to ensure that conditions prevailing in its territory do not menace international peace and order.

Article 8

Every State has the duty to settle its disputes with other States by peaceful means in such a manner that international peace and security, and justice, are not endangered.

Article 9

Every State has the duty to refrain from resorting to war as an instrument of national policy, and to refrain from the threat or use of force against the territorial integrity or political independence of another State, or in any other manner inconsistent with international law and order.

Article 10

Every State has the duty to refrain from giving assistance to any State which is acting in violation of Article 9, or against which the United Nations is taking preventive or enforcement action.

Article 11

Every State has the duty to refrain from recognizing any territorial acquisition by another State acting in violation of Article 9.

Article 12

Every State has the right of individual or collective self-defence against armed attack.

Article 13

Every State has the duty to carry out in good faith its obligations arising from treaties and other sources of international law, and it may not invoke provisions in its constitution or its laws as an excuse for failure to perform this duty.

Article 14

Every State has the duty to conduct its relations with other States in accordance with international law and with the principle that the sovereignty of each State is subject to the supremacy of international law.

Appendix 36

General Assembly Resolution, December 3, 1949: Rules for the Calling of International Conferences by the Economic and Social Council

(Vote: 39 in favour (including Canada), none against, 6 abstentions)

The General Assembly,

Recalling its resolution 173 (II) of 17 November 1947 inviting the Secretary-General to prepare, in consultation with the Economic and Social Council, draft rules for the calling of international conferences,

Having considered the draft rules for the calling of international conferences prepared by the Secretary-General and approved by the Economic and Social Council on 2 March 1949 (resolution 220 (VIII)),

Approves the following rules for the calling of international conferences of States:

Rule 1

The Economic and Social Council may at any time decide to call an international conference of States on any matter within its competence, provided that, after consultation with the Secretary-General and the appropriate specialized agencies, it is satisfied that the work to be done by the conference cannot be done satisfactorily by any organ of the United Nations or by any specialized agency.

Rule 2

When the Council has decided to call an international conference, it shall prescribe the terms of reference and prepare the provisional agenda of the conference.

Rule 3

The Council shall decide what States shall be invited to the Conference.

The Secretary-General shall send out as soon as possible the invitations, accompanied by copies of the provisional agenda, and shall give notice, accompanied by copies of the provisional agenda, to every Member of the United Nations not invited. Such Member may send observers to the conference.

Non-member States whose interests are directly affected by the matters to be considered at the conference may be invited to it and shall have full rights as members thereof.

Rule 4

With the approval of the responsible State, the Council may decide to invite to a conference of States a territory which is self-governing in the fields covered by the terms of reference of the conference but which is not responsible for the conduct of its foreign relations. The Council shall decide the extent of the participation in the conference of any territory so invited.

Rule 5

The Council shall, after consultation with the Secretary-General, fix the date and place of the conference or request the Secretary-General to do so.

Rule 6

The Council shall make arrangements for financing the conference, except that any arrangements involving the expenditure of funds of the United Nations shall be subject to the applicable regulations, rules and resolutions of the General Assembly.

Rule 7

The Council:

(a) Shall prepare, or request the Secretary-General to prepare, provisional rules of procedure for the conference;

(b) May establish a preparatory committee to carry out such functions in preparation for the conference as the Council shall indicate;

(c) May request the Secretary-General to perform such functions in preparation for the conference as the Council shall indicate.

Rule 8

The Council may invite specialized agencies in relationship with the United Nations and non-governmental organizations having consultative status with the Council to take part in conferences called under these rules. The representatives of such agencies or organizations shall be entitled to the same rights and privileges as at sessions of the Council itself, unless the Council decides otherwise.

Rule 9

Subject to any decisions and directions of the Council, the Secretary-General shall appoint an executive secretary for the conference, provide the secretariat and services required and make such other administrative arrangements as may be necessary.

Appendix 37

MEMBERS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

(as of March 15, 1950)

The Symbol "x" denotes membership.

The symbol "(x)" applies to countries which have given notice of withdrawal.

	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO	UPU*	ITU*	IRO	IMCO**	ITO**	WMO**
Afghanistan	x	x	x	x	x			x	x	x			x	
Albania		x						(x)	x	x				
Argentina	x	x		x	x			x	x	x		x	x	
Australia	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Austria		x	x	x	x	x	x	x	x	x			x	
Belgium	x	x	x	x	x	x	x	x	x	x	x	x	x	
Bolivia	x	x	x	x	x	x	x	x	x	x				
Brazil	x	x	x	x	x	x	x	x	x	x			x	
Bulgaria		x						(x)	x	x				
Burma	x	x	x	x	x			x	x	x			x	x
Byelorussian SSR	x							(x)	x	x				x
Canada	x	x	x	x	x	x	x	x	x	x	x	x	x	
Ceylon		x	x	x	x			x	x	x			x	
Chile	x	x	x		x	x	x	x	x	x			x	
China	x	x	x	x	x	x	x	x	x	x	x		x	
Colombia	x	x	x	x	x	x	x		x	x			x	
Costa Rica	x	x	x			x	x	x	x	x			x	
Cuba	x	x	x	x	x	x	x	x	x	x			x	
Czechoslovakia	x	x	(x)	x	x	x	x	x	x	x			x	x
Denmark	x	x	x	x	x	x	x	x	x	x	x		x	
Dominican Republic	x	x	x	x	x	x	x	x	x	x	x		x	x
Ecuador	x	x	x	x		x	x	x	x	x			x	
Egypt	x	x	x	x	x	x	x	x	x	x			x	x
El Salvador	x	x	x	x	x	x	x	x	x	x			x	
Ethiopia	x	x	x		x	x	x	x	x	x				

Continued	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO	UPU*	ITU*	IRO	IMCO**	ITO**	WMO**
Finland		x	x		x	x	x	x	x	x				x
France	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Greece	x	x	x	x	x	x	x	x	x	x		x	x	x
Guatemala	x	x	x	x	x	x	x	x	x	x	x		x	
Haiti	x	x	x	x	x			x	x	x			x	
Honduras	x		x	x		x	x	x	x	x				
Hungary		x	x	x				x	x	x				
Iceland	x	x	x		x	x	x	x	x	x	x			x
India	x	x	x	x	x	x	x	x	x	x		x	x	x
Indonesia			x							x			x	
Iran	x	x		x		x	x	x	x	x			x	
Iraq	x	x	x	x	x	x	x	x	x	x			x	x
Ireland		x	x		x			x	x	x			x	
Israel	x	x	x	x	x			x	x	x				x
Italy		x	x	x	x	x	x	x	x	x	x		x	
Jordan					x			x	x				x	
Korea			x					x	x					
Lebanon	x	x	x	x	x	x	x	x	x	x			x	x
Liberia	x	x	x	x	x			x	x	x			x	
Luxembourg	x	x	x	x	x	x	x	x	x	x	x		x	
Mexico	x	x	x	x	x	x	x	x	x	x			x	x
Monaco				x				x		x				
Netherlands	x	x	x	x	x	x	x	x	x	x	x	x	x	
New Zealand	x	x	x	x	x			x	x	x	x		x	x
Nicaragua	x		x		x	x	x		x	x			x	
Norway	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Japan									x	x				
Pakistan	x	x	x	x	x			x	x	x			x	
Panama	x	x	x	x		x	x		x	x			x	
Paraguay	x		x		x	x	x	x	x	x				

Continued	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO	UPU*	ITU*	IRO	IMCO**	ITO**	WMO**
Peru	x	x	x	x	x	x	x		x	x			x	x
Philippines	x	x	x	x	x	x	x	x	x	x			x	x
Poland	x	x	x	x	x	(x)	(x)	x	x	x			x	
Portugal		x	x		x			x	x	x				
Roumania								(x)	x	x				x
San Marino									x					
Saudi Arabia	x		x	x				x	x	x				
Southern Rhodesia										x			x	
Spain					x				x					
Sweden	x	x	x	x	x			x	x	x		x	x	x
Switzerland		x	x	x	x			x	x	x	x			x
Syria	x	x	x	x	x	x	x	x	x	x			x	
Thailand	x	x	x	x	x	x	x	x	x	x				x
Turkey	x	x	x	x	x	x	x	x	x	x			x	x
Ukrainian SSR	x							(x)	x	x				x
U. of South Africa	x	x	x	x	x	x	x	x	x	x			x	x
U.S.S.R.	x							(x)	x	x				x
United Kingdom	x	x	x	x	x	x	x	x	x	x	x	x	x	x
United States	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Uruguay	x	x	x	x		x	x	x	x	x			x	
Vatican City									x	x				
Venezuela	x	x	x	x	x	x	x	x	x	x	x		x	
Yemen	x								x	x				
Yugoslavia	x		x			x	x	x	x	x				x
Total of Members	59	60	62	54	56	47	47	62	75	75	18	12	53	30

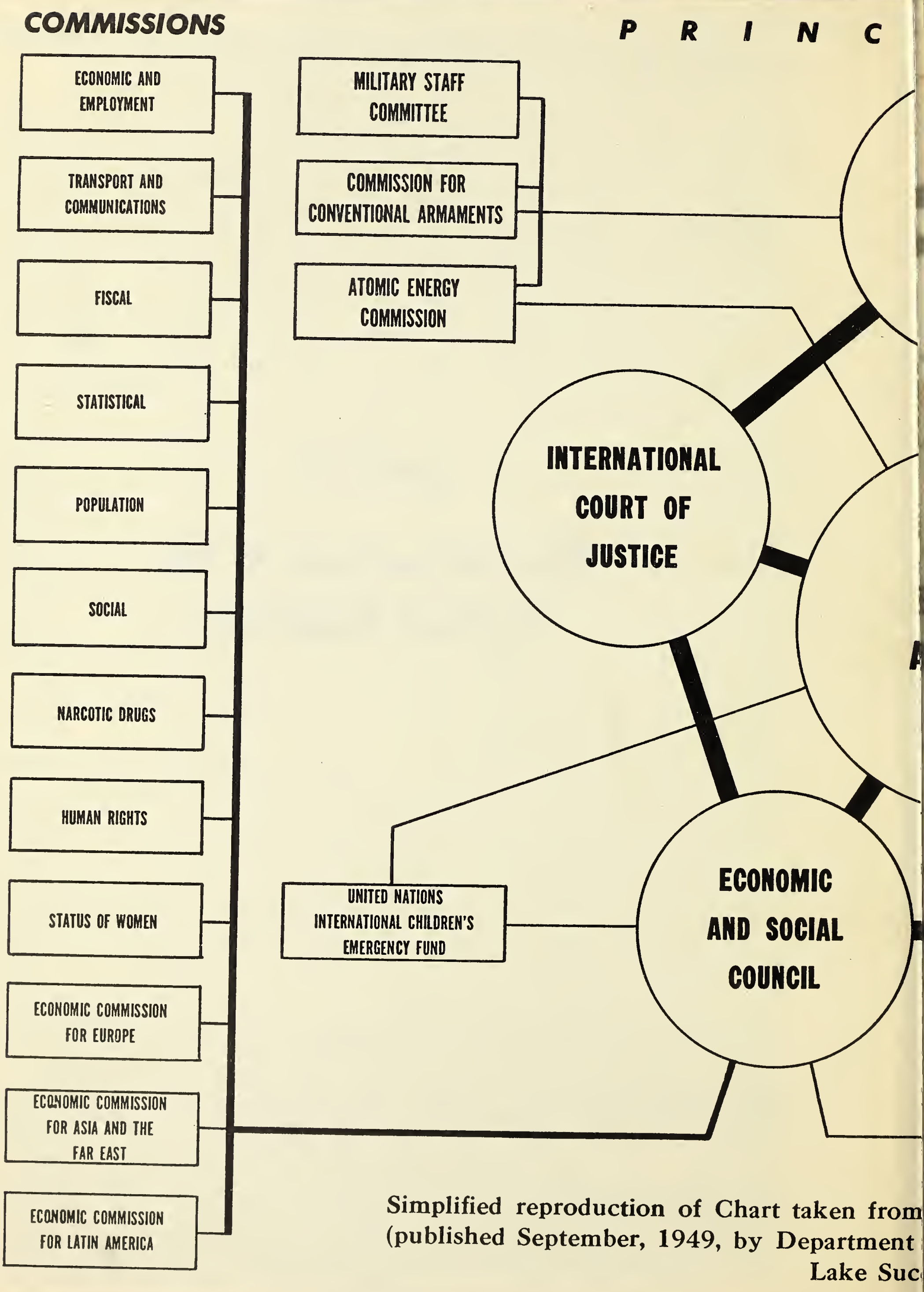
*The following are also members of the Universal Postal Union: Algeria, Belgian Congo and Ruanda-Urundi, French Morocco, French Overseas Territories, Germany, Japan, Portuguese Colonies, Spanish Morocco, Tunisia. The following are also members of the International Telecommunications Union: French Morocco, French Overseas Territories, Japan, Portuguese Colonies, South-West Africa, Dependent Territories of the United Kingdom and of the United States.

**The Inter-governmental Maritime Consultative Organization, the World Meteorological Organization and the International Trade Organization had not come into existence as specialized agencies by the date of publication of this report. As of March 15, 1950, countries listed above under these headings, in the case of IMCO were members of the Preparatory Committee; in the case of WMO had ratified or acceded to the Convention; and in the case of ITO were signatories of the Havana Charter and, by unanimous resolution of the U.N. Conference on Trade and Employment in Havana, members of the Interim Commission. Owing to substantial impending additions to their membership in 1950, Contracting Parties to the General Agreement on Tariffs and Trade have not been listed in the above table.

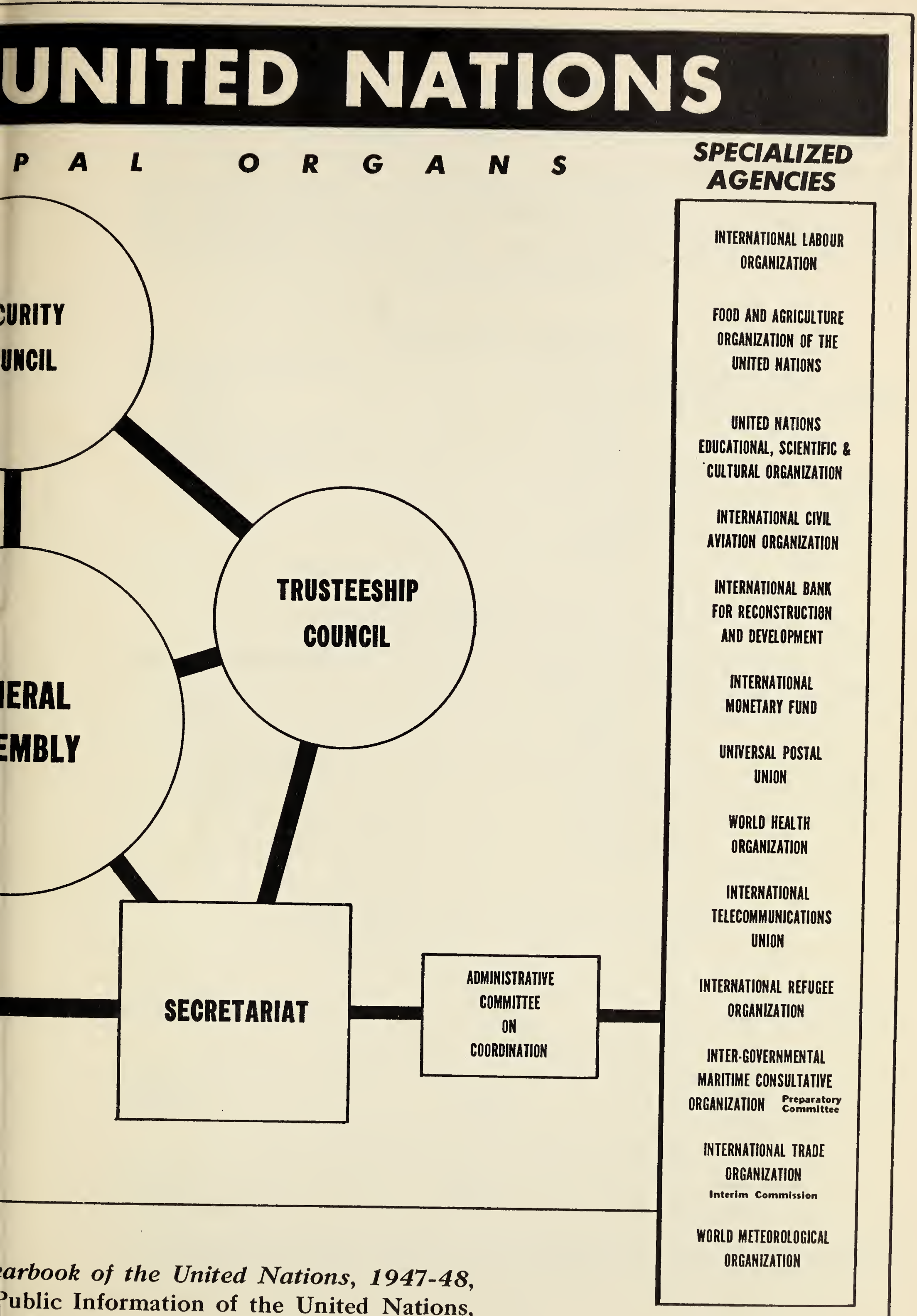
Appendix 38

The Structure of the United Nations

ORGANS OF THE


COMMISSIONS
P R I N C
ECONOMIC AND EMPLOYMENT
TRANSPORT AND COMMUNICATIONS
FISCAL
STATISTICAL
POPULATION
SOCIAL
NARCOTIC DRUGS
HUMAN RIGHTS
STATUS OF WOMEN
ECONOMIC COMMISSION FOR EUROPE
ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST
ECONOMIC COMMISSION FOR LATIN AMERICA
MILITARY STAFF COMMITTEE
COMMISSION FOR CONVENTIONAL ARMAMENTS
ATOMIC ENERGY COMMISSION
INTERNATIONAL COURT OF JUSTICE
UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND
ECONOMIC AND SOCIAL COUNCIL

Simplified reproduction of Chart taken from
(published September, 1949, by Department
Lake Suc


UNITED NATIONS
PAL ORGANS
SPECIALIZED AGENCIES
CURITY UNCIL
IERAL EMBLY
TRUSTEESHIP COUNCIL
SECRETARIAT
ADMINISTRATIVE COMMITTEE ON COORDINATION
INTERNATIONAL LABOUR ORGANIZATION
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
UNITED NATIONS EDUCATIONAL, SCIENTIFIC & CULTURAL ORGANIZATION
INTERNATIONAL CIVIL AVIATION ORGANIZATION
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL MONETARY FUND
UNIVERSAL POSTAL UNION
WORLD HEALTH ORGANIZATION
INTERNATIONAL TELECOMMUNICATIONS UNION
INTERNATIONAL REFUGEE ORGANIZATION
INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION Preparatory Committee
INTERNATIONAL TRADE ORGANIZATION Interim Commission
WORLD METEOROLOGICAL ORGANIZATION

earbook of the United Nations, 1947-48,
Public Information of the United Nations,
, N.Y.)

Appendix 39

Members* of the Security Council, the Atomic Energy Commission, the Economic and Social Council, the Commissions of the Economic and Social Council, the International Children's Emergency Fund, the Trusteeship Council, the International Court of Justice, the Administrative Tribunal, and the Standing Committees of the General Assembly.

SECURITY COUNCIL

Permanent Members
- China
- France
- United Kingdom
- United States
- U.S.S.R.

Non-Permanent Members

To serve until December 31, 1950:
- Cuba
- Egypt
- Norway

To serve until December 31, 1951:
- Ecuador
- India
- Yugoslavia

ATOMIC ENERGY COMMISSION

Permanent Members
- Canada
- China
- France
- United Kingdom
- United States
- U.S.S.R.

Non-Permanent Members

To serve until December 31, 1950:
- Cuba
- Egypt
- Norway

To serve until December 31, 1951:
- Ecuador
- India
- Yugoslavia

ECONOMIC AND SOCIAL COUNCIL

To Serve Until December 31, 1950

- Australia
- Brazil
- Denmark
- Poland
- United Kingdom
- U.S.S.R.

To Serve Until December 31, 1951

- Belgium
- Chile
- China
- France
- India
- Peru

To Serve Until December 31, 1952

- Canada
- Czechoslovakia
- Iran
- Mexico
- Pakistan
- U.S.A.

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*Membership as of January 1, 1950, is given unless otherwise stated. For membership of these organs during 1949 see *Canada and the United Nations, 1948*, pp. 268-272.

COMMISSIONS OF THE ECONOMIC AND SOCIAL COUNCIL

(i) Economic and Employment Commission:
Representatives of Australia, Belgium, Brazil, Byelorussian S.S.R., Canada, China, Cuba, Czechoslovakia, France, India, Norway, Poland, U.S.S.R., United Kingdom, United States.

Sub-Commission on Employment and Economic Stability: Experts from France, U.S.S.R., Norway, United Kingdom, Poland, Australia, United States.

Sub-Commission on Economic Development: Experts from Brazil, Mexico, China, U.S.S.R., India, United States, Czechoslovakia.

(ii) Transport and Communications Commission:
Representatives of Chile, China, Czechoslovakia, Egypt, France, India, Netherlands, Norway, Pakistan, Poland, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia.

(iii) Fiscal Commission:
Representatives of Belgium, Canada, China, Cuba, Czechoslovakia, France, New Zealand, Pakistan, Poland, Ukrainian S.S.R., Union of South Africa, U.S.S.R., United Kingdom, United States, Venezuela.

(iv) Statistical Commission:
Representatives of Argentina, China, Czechoslovakia, France, India, Netherlands, Norway, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States.

Sub-Commission on Statistical Sampling: Experts from France, United States, India, United Kingdom.

(v) Population Commission:
Representatives of Brazil, China, France, Netherlands, Peru, Sweden, Syria, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

(vi) Social Commission:
Representatives of Australia, Bolivia, Brazil, Canada, China, Denmark, Ecuador, France, India, Iraq, New Zealand, Poland, Turkey, Union of South Africa, U.S.S.R., United Kingdom, United States, Yugoslavia.

(vii) Commission on Human Rights:
Representatives of Australia, Belgium, Chile, China, Denmark, Egypt, France, Greece, Guatemala, India, Lebanon, Philippines, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia.

Sub-Commission on Freedom of Information and the Press: Experts from Lebanon, Egypt, United States, China, Yugoslavia, Uruguay, India, France, Philippines, Chile, United Kingdom, U.S.S.R.

Sub-Commission on Prevention of Discrimination and Protection of Minorities: Experts from U.S.S.R., China, United States, Sweden, India, Australia, United Kingdom, Belgium, Ecuador, Haiti, Iran, France.

(viii) Commission on the Status of Women:
Representatives of Australia, China, Costa Rica, Denmark, France, Greece, Haiti, India, Lebanon, Mexico, Turkey, U.S.S.R., United Kingdom, United States, Venezuela.

(ix) Commission on Narcotic Drugs:
Representatives of Canada, China, France, Egypt, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia.

(x) Economic Commission for Europe:
Representatives of Belgium, Byelorussian S.S.R., Czechoslovakia, Denmark, France, Greece, Iceland, Luxembourg, Netherlands, Norway, Poland, Sweden, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

(xi) Economic Commission for Asia and the Far East:
Representatives of Australia, Burma, China, France, India, Netherlands, New Zealand, Pakistan, Philippines, Thailand, U.S.S.R., United Kingdom, United States. (Certain other states are admitted to associate membership without voting privileges).

(xii) Economic Commission for Latin America:
Representatives of Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, United Kingdom, United States, Uruguay, Venezuela.

INTERNATIONAL CHILDREN'S EMERGENCY FUND

Member Governments:

Argentina
Australia
Brazil
Byelorussian S.S.R.
Canada
China
Colombia
Czechoslovakia
Denmark
Ecuador
France
Greece
Iraq
Netherlands
New Zealand
Norway
Peru
Poland
Sweden
Switzerland
Ukrainian S.S.R.
Union of South Africa
U.S.S.R.
United Kingdom
United States
Yugoslavia

TRUSTEESHIP COUNCIL

Administering Trust Territories

Australia
Belgium
France
New Zealand
United Kingdom
United States

Permanent Members of the Security Council
Not Administering Trust Territories
- China
- U.S.S.R.

Elective Members
- To serve until December 31, 1950:
  - The Philippines
  - Dominican Republic (replacement for Costa Rica)
- To serve until December 31, 1951:
  - Iraq
  - Argentina

INTERNATIONAL COURT OF JUSTICE

- To serve until February 5, 1952:
  - Isidro Fabela Alfaro (Mexico)
  - Green H. Hackworth (United States)
  - Helge Klaestad (Norway)
  - Sergei Borisovitch Krylov (U.S.S.R.)
  - Charles de Visscher (Belgium)
- To serve until February 5, 1955:
  - Alejandro Alvarez (Chile)
  - José Philadelpho de Barros e Azevedo (Brazil)
  - Jules Basdevant (France)
  - José Gustavo Guerrero (El Salvador)
  - Sir Arnold Duncan McNair (United Kingdom)
- To serve until February 5, 1958:
  - Abdel Hamid Badawi Pasha (Egypt)
  - Hsu Mo (China)
  - John E. Read (Canada)
  - Bodgan Winiarski (Poland)
  - Milovan Zoricic (Yugoslavia)

UNITED NATIONS ADMINISTRATIVE TRIBUNAL

The initial appointments to the Administrative Tribunal, approved at the Fourth Session of the General Assembly, were as follows:—

- To serve until December 31, 1950:
  - Sir Sydney Caine (United Kingdom)
  - Vladimir Outrata (Czechoslovakia)
- To serve until December 31, 1951:
  - Rowland Andrews Egger (United States)
  - Emilio N. Oribe (Uruguay)
- To serve until December 31, 1952:
  - Mme. Paul Bastid (France)
  - H. H. the Jam Sahib of Nawanagar (India)
  - Omar Loutfi (Egypt)

STANDING COMMITTEES OF THE GENERAL ASSEMBLY

Advisory Committee on Administrative and Budgetary Questions
  To serve until December 31, 1950:
    Andre Ganem (France)
    Jan Papanek (Czechoslovakia)
    N. Sundaresan (India)
  To serve until December 31, 1951:
    Thanassis Aghnides (Greece)
    C. L. Hsia (China)
    Valentin I. Kabushko (U.S.S.R.)
  To serve until December 31, 1952:*
    William O. Hall (United States)
    Olyntho P. Machado (Brazil)
    Sir William Matthews (United Kingdom)

Committee on Contributions
  To serve until December 31, 1950:
    Rafik Asha (Syria)
    H. Campion (United Kingdom)
    M. Z. N. Witteveen (The Netherlands)
  To serve until December 31, 1951:
    René Charron (France)
    P. M. Chernyshev (U.S.S.R.)
    Seymour Jacklin (Union of South Africa)
    G. Martinez-Cabanas (Mexico)
  To serve until December 31, 1952:*
    Kan Lee (China)
    Frank Pace (United States)
    Mitchell W. Sharp (Canada)

Board of Auditors

The Auditor-General or corresponding official of each of the following countries:

Colombia, to serve until June 30, 1951
Denmark, to serve until June 30, 1952
Canada, to serve until June 30, 1953*

Investments Committee

Jacques Rueff (France) until December 31, 1950
Leslie R. Rounds (United States) until December 31, 1951
Ivar Rooth (Sweden) until December 31, 1952*

Staff Pension Committee

The following* were appointed as members and alternate members of the Staff Pension Committee for a three-year term, commencing January 1, 1950.

Members:

R. T. Christobal (Philippines)
E. de Holte Castello (Colombia)
Nikolai I. Klimov (U.S.S.R.)

Alternates:

Miss Carol C. Laise (United States)
Dr. A. Nass (Venezuela)
P. Ordonneau (France)

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*Members of Standing Committees of the General Assembly who were elected at Fourth Session.

Appendix 40

List of Non-Governmental Organizations Granted Consultative Status by the Economic and Social Council, as of December 31, 1949

Category A*

1. World Federation of Trade Unions
2. International Cooperative Alliance
3. American Federation of Labor
4. International Chamber of Commerce
5. International Federation of Agricultural Producers
6. International Federation of Christian Trade Unions
7. Inter-Parliamentary Union
8. International Organization of Employers
9. World Federation of United Nations Associations

Category B**

10. Agudas Israel World Organization
11. All-India Women's Conference (India)
12. Associated Country Women of the World
13. Boy Scouts' International Bureau
14. Carnegie Endowment for International Peace (United States of America)
15. Catholic International Union for Social Service
16. Commission of the Churches on International Affairs
17. Consultative Council of Jewish Organizations
18. Co-ordinating Board of Jewish Organizations for Consultation with the Economic and Social Council of the United Nations
19. The Econometric Society
20. Friends World Committee for Consultation
21. Howard League for Penal Reform (United Kingdom)
22. Indian Council of World Affairs (India)
23. Inter-American Council of Commerce and Production
24. International Abolitionist Federation
25. International African Institute
26. International Alliance of Women—Equal Rights, Equal Responsibilities
27. International Association of Democratic Lawyers
28. International Association of Penal Law
29. International Automobile Federation
30. International Touring Alliance
31. International Bureau for the Suppression of Traffic in Women and Children
32. International Bureau for the Unification of Penal Law
33. International Carriage and Van Union
34. International Wagon Union—R.I.V.

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*Category "A" organizations are those which have a basic interest in most of the activities of the Economic and Social Council and are closely linked with the economic or social life of the areas which they represent.

**Category "B" organizations are those which have a special competence but are concerned specifically with only a few of the fields of activity covered by the Economic and Social Council.

35. International Committee of Schools of Social Work
36. International Committee of Scientific Management
37. International Conference of Social Work
38. International Committee of the Red Cross
39. International Co-operative Women's Guild
40. International Council of Women
41. International Criminal Police Commission
42. International Federation for Housing and Town Planning
43. International Federation of Business and Professional Women
44. International Federation of Friends of Young Women
45. International Federation of Unions of Employees in Public and Civil Service
46. International Federation of University Women
47. International Fiscal Association
48. International Institute of Administrative Sciences
49. International Institute of Public Finance
50. International Institute of Public Law
51. International Law Association
52. International League for the Rights of Man
53. International Organization for Standardization
54. International Organization of Journalists
55. International Road Transport Union
56. International Social Service
57. International Society of Criminology
58. International Statistical Institute
59. International Student Service
60. International Transport Workers' Federation
61. International Temperance Union
62. International Union for Child Welfare
63. International Union of Architects
64. International Union of Catholic Women's Leagues
65. International Union of Family Organizations
66. International Union of Local Authorities
67. International Union of Official Travel Organizations
68. International Union of Producers and Distributors of Electric Power
69. Liaison Committee of Women's International Organizations
70. National Association of Manufacturers (United States of America)
71. Pax Romana—International Catholic Movement for Intellectual and Cultural Affairs
72. Pax Romana—International Movement of Catholic Students
73. Salvation Army
74. Service Civil International
75. Women's International Democratic Federation
76. Women's International League for Peace and Freedom
77. World Association of Girl Guides and Girl Scouts
78. World Engineering Conference
79. World Federation of Democratic Youth
80. World Jewish Congress
81. World Movement of Mothers
82. World Power Conference
83. World Union for Progressive Judaism
84. World's Alliance of Young Men's Christian Associations
85. World's Women's Christian Temperance Union
86. World's Young Women's Christian Associations

Category C*

87. International Federation of Secondary Teachers
88. Lions International—International Association of Lions Clubs
89. Rotary International
90. World Organization of the Teaching Profession.

Appendix 41

Publications of the Department of External Affairs

The following is a list of publications issued by the Department of External Affairs during 1949 on subjects relating to the United Nations and the specialized agencies:

1**_The United Nations, 1946_, Conference Series, 1946, No. 3.
   Canada at the United Nations, 1947, Conference Series, 1947, No. 1.
   Canada and the United Nations, 1948, Conference Series, 1948, No. 1.

2. _Reference Papers:_
   - No. 47 — Reply of the Government of Canada to a questionnaire on employment from the Economic and Social Council;
   - No. 52 — Three Power co-operation on atomic energy;
   - No. 54 — Canada and the International Refugee Organization.
3. _Reprints:_
   - No. 70 — _What Right Has a Man_ (reprint of an article by I. Norman Smith appearing in the _Ottawa Journal_ of January 31, 1949);
   - No. 78 — _Straight Talk from Mike Pearson_ (reprint of an interview with the Secretary of State for External Affairs, Mr. L. B. Pearson, _Maclean's_, October 15, 1949).
4. _Statements and Speeches:_
   - No. 49/11 — The International Control of Atomic Energy;
   - No. 49/21 — Application of Israel for Membership in the United Nations;
   - No. 49/23 — International Co-operation in a Divided World;
   - No. 49/26 — The Security Council: Regulation of Armaments and Supply of Forces;
   - No. 49/31 — Statement in the plenary meeting of the General Assembly, September 26, 1949;
   - No. 49/35 — The United Nations and the International Control of Atomic Energy;
   - No. 49/40 — The Problems of Disarmament;
   - No. 49/41 — Statement on the France-Canada Resolution on Atomic Energy made on November 7, 1949, in the Ad Hoc Political Committee;
   - No. 49/42 — Statement on the Soviet "Peace" Resolution in the First Committee of the General Assembly on November 15, 1949;

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*Category "C" organizations are those which are primarily concerned with the development of public opinion and with the dissemination of information.

**These three publications are obtainable from the King's Printer, Ottawa, for the sum of 50 cents.

No. 49/43 — Canada and World Affairs;
No. 49/44 — Essentials of Peace (statement in the plenary session of the General Assembly, December 1, 1949);
No. 49/45 — Canada and the World Food Situation;
No. 49/47 — Canadian Statements on the Status of Jerusalem and the Holy Places.

5. *External Affairs* (Monthly Bulletin of the Department of External Affairs)
A Day with the Canadian Delegation at the United Nations—Dec.;
Economic and Social Council—Mar., Apr., May;
Commission on Human Rights—July;
Economic and Employment Commission—July;
Elections—Jan., Nov.;
Narcotics Commission—Aug.;
Social Commission—July;

General Assembly:
Armaments, Proposals to Reduce—Jan., July, Nov.;
Atomic Energy—Jan., Apr., Nov., Dec.;
Displaced Persons—June;
Essentials of Peace—Dec.;
Field Service, United Nations—May, Aug., Dec.;
Fourth Session, Introduction to—Sept.;
Freedom of Information—Apr., May;
Genocide—Jan.;
Greek Question—Jan., Nov.;
Human Rights in Eastern Europe—Apr., Sept., Nov.;
Human Rights, Commission on—June;
Human Rights, Declaration of—Jan.;
Indians in South Africa, Treatment of—Apr., June;
Interim Committee—Jan., Mar.;
International Court of Justice—Jan.;
Israel, Admission of—June;
Italian Colonies, Former—June, Sept., Nov., Dec.;
Korea—Mar., Nov.;
Methods and Procedures—Apr., Nov.;
Palestine: Conciliation in—Jan.;
Spain—Apr., June;
Spanish, Use of—Jan.;
Subsidiary Organs—Aug.;
Appointments to—Dec.;
Technical Assistance—Nov.;
Trusteeship Council, Elections to—Nov.;
Veto, Problem of the—Apr.;

Security Council:
Atomic Energy—Mar., July;
Berlin—Feb.;
Elections—Jan., Nov.;
Indonesia—Jan., Feb., Mar., Apr., June, July;
Kashmir, Cease Fire in—Feb.;
Palestine—Feb., Mar., Apr.;
Trieste, Governorship of—Mar.;

Specialized Agencies:
International Labour Organization—Mar.;
International Refugee Organization—Mar., Apr., May;
World Health Organization—Mar.

6. *Press Releases*

The following press releases issued on United Nations matters include announcements of meetings, composition of Canadian delegations, texts of statements, etc.: Nos. 1, 12, 16, 38, 41, 44, 49, 51, 55, 70, 78.

7. *Biographies*

A number of biographies of Canadian delegates to United Nations meetings were also issued during 1949.

Appendix 42

United Nations Documents, 1949: A Selected Bibliography

The printed publications of the United Nations listed below may be procured in Canada through The Ryerson Press, 299 Queen Street W., Toronto, Ontario.

I. Main Reports and Resolutions:

A. General

Annual Report of the Secretary-General on the work of the Organization (1 July 1948 to 30 June 1949); document A/930; July 1949; 159 pp.; printed; $1.75; General Assembly Official Records: Fourth Session, Supplement No. 1.

Resolutions of the General Assembly, Part II, Third Session (5 April to 18 May, 1949); document A/900; 31 May 1949; 36 pp.; printed; 40 cents.

Resolutions of the General Assembly, Fourth Session (20 September to 10 December, 1949); document A/1251; 28 December 1949; 67 pp.; printed; 70 cents.

B. Political and Security

Report of the Security Council to the General Assembly covering the period from 16 July 1948 to 15 July 1949; document A/945; August 1949; 103 pp.; printed; $1.00; General Assembly Official Records: Fourth Session, Supplement No. 2.

Report of the United Nations Special Committee on the Balkans; document A/935; August 1949; 25 pp.; printed; 50 cents; General Assembly Official Records: Fourth Session, Supplement No. 8.

Report of the United Commission on Korea

(a) *Vol. I*; document A/936; August 1949; 34 pp.; printed; 40 cents; General Assembly Official Records: Fourth Session, Supplement No. 9.

(b) *Vol. II—Annexes*; document A/936/Add.1; August 1949; 62 pp.; printed; 70 cents; General Assembly Official Records: Fourth Session, Supplement No. 9.

C. Constitutional

Report of the Interim Committee of the General Assembly (31 January to 17 August, 1949); document A/966; September 1949; 28 pp.; printed; 30 cents; General Assembly Official Records: Fourth Session, Supplement No. 11.

Report of the Special Committee on Methods and Procedures of the General Assembly; document A/937; 12 August 1949; 23 pp.; printed; 25 cents; General Assembly Officials Records: Fourth Session, Supplement No. 12.

D. Economic and Social

Report of the Economic and Social Council covering the period from 30 August 1948 to 15 August 1949; document A/972; September 1949; 212 pp.; printed; $1.25; General Assembly Official Records; Fourth Session, Supplement No. 3.

Resolutions of the Eight Session of the Economic and Social Council (7 February to 18 March, 1949); document E/1310; 15 March 1949; 47 pp.; printed; 50 cents; Official Records: Supplement No. 1.

Resolutions of the Ninth Session of the Economic and Social Council (5 July to 15 August, 1949); document E/1553; 15 August 1949; 94 pp.; printed; $1.00; Official Records: Supplement No. 1.

Technical Assistance for Economic Development (Plan for an expanded cooperative programme through the United Nations and the specialized agencies); document E/1327/Add.1; May 1949; 328 pp.; printed; $2.50; Sales No.: 1949.II.B.1.

E. Budgetary and Financial

Budget Estimates for the Financial Year 1950 and Information Annexes; document A/903; July 1949; 259 pp.; printed; $2.75; General Assembly Official Records: Fourth Session, Supplement No. 5.

Financial Report and Accounts for the year ended 31 December 1948 and Report of the Board of Auditors; document A/902; 26 May 1949; 35 pp.; printed; 40 cents; General Assembly Official Records: Fourth Session, Supplement No. 6.

Advisory Committee on Administrative and Budgetary Questions—Second Report of 1949 to the General Assembly; document A/934; 8 August 1949; 49 pp.; printed; 60 cents; General Assembly Official Records: Fourth Session, Supplement No. 7.

F. Trusteeship

Report of the Trusteeship Council covering its Fourth and Fifth Sessions (6 August 1948 to 22 July 1949); document A/933; July 1949; 103 pp.; printed; $1.00; General Assembly Official Records: Fourth Session, Supplement No. 4.

G. Legal

Report of the International Law·Commission covering its first session 12 April to 9 June 1949; document A/925; 24 June 1949; 10 pp.; printed; 15 cents; General Assembly Official Records: Fourth Session, Supplement No. 10.

H. Specialized Agencies

Report of the Secretary-General on action taken in pursuance of the agreements between the United Nations and the Specialized Agencies; document E/1317; November 1949; 127 pp.; printed; $1.25; Economic and Social Council Official Records: Fourth Year, Ninth Session, Supplement No. 17.

Food and Agriculture Organization: *Work of FAO 1948-49;* Report of the Director-General to the Fifth Session of the Conference of the Food and Agriculture Organization; Washington, 1949; 104 pp.; printed; $1.00.

International Bank for Reconstruction and Development: *Fourth Annual Report to the Board of Governors 1948-1949;* Washington, 1949; 56 pp.; printed.

International Monetary Fund: *Annual Report of the Executive Directors for the fiscal year ended April 30, 1949;* Washington, 1949; 122 pp.; printed.

International Civil Aviation Organization: *Report of Council to the Third Assembly on the activities of the Organization June 1948-February 1949;* Doc. 6433, A3-P/4, 11 April 1949; Montreal, 1949; 73 pp.; printed.

International Civil Aviation Organization: *Supplementary Report of the Council to the Third Assembly on the activities of the Organization March 1-May 31, 1949;* Doc. 7447, A3-P/18, 3 June 1949; 31 pp.; mimeographed.

International Labour Organization: *Report of the Director-General* (Thirty-Second Session, Geneva, 1949); 4 April 1949; Report No. 1; 156 pp.; printed by "Imprimeries Populaires" Geneva (Switzerland).

International Refugee Organization

(a) *Report of the International Refugee Organization* (Economic and Social Council, Ninth Session); 17 May 1949; document E/1334; 95 pp. (mimeographed only).

(b) *Report of the Director-General on the Number of Refugees and Displaced Persons to be Moved in Repatriation and Resettlement Programmes;* 6 October 1949; document GC/109; 10 pp. (mimeographed only).

United Nations Educational, Scientific and Cultural Organization

(a) *Report of the Director-General on the activities of the Organization—Presented to the Fourth General Conference, September to October 1949;* document 4C/3; September 1949; 141 pp.; printed; Unesco Publication No. 429.

(b) *Report to the United Nations 1948-1949;* 176 pp.; printed; Unesco Publication No. 316.

(c) *Study abroad—International Handbook—Fellowships, Scholarships, Educational Exchange, Volume II, 1949;* 364 pp.; printed; Unesco Publication No. 518.

World Health Organization

(a) *Second World Health Assembly* (*Rome, 13 June to 2 July, 1949*), *Decisions and Resolutions, Plenary Meetings, Committees, Annexes;* December 1949; 420 pp.; printed; $2.25; Official Records No. 21.

(b) *Report of the Executive Board, Fourth Session* (*held in Geneva, 8 to 19 July, 1949*), (*Supplement, Reports of the Joint Committee on Health Policy, UNICEF/WHO*)*;* December 1949; 49 pp.; printed; 50 cents; Official Records No. 22.

II. Research Publications by the United Nations Secretariat:

Yearbook of the United Nations 1947-48; September 1949; 1126 pp.; printed; $12.50; Sales No.: 1949.I.13 (Department of Public Information).

Handbook of the United Nations and the Specialized Agencies; May 1949; 222 pp.; printed; $1.00; Sales No.: 1949.I.9 (Department of Public Information).

Yearbook on Human Rights for 1947; 1949; 581 pp.; printed; $6.00; Sales No.; 1949.XIV.1.

Statistical Yearbook 1948 (Prepared by the Statistical Office of the United Nations) (First Issue); 1949; 482 pp.; printed; bilingual; $6.00; Sales No.: 1949.XVII.1.

An International Bibliography on Atomic Energy—Volume 1, Political, Economic and Social Aspects; document AEC/INF./7.Rev.2; 28 March 1949; 45 pp.; printed; 50 cents; Sales No.: 1949.IX.1.Vol.1 (Department of Security Council Affairs).

International Fellowships; October 1949; 55 pp.; printed; 40 cents; Sales No. 1949.IV.7 (Department of Social Affairs).

Major Economic Changes in 1948; January 1949; 74 pp.; printed; $1.00; Sales No.: 1949.II.C.1 (Department of Economic Affairs).

Supplement (to the above); June 1949; 119 pp.; printed; $1.00; Sales No.: 1949.II.C.2 (Department of Economic Affairs).

World Economic Report 1948; July 1949; 300 pp.; printed; $3.00; Sales No.: 1949.II.C.3 (Department of Economic Affairs).

Catalogue of Economic and Social Projects No. 1; April 1949; 271 pp.; printed; $2.00; Sales No.: 1949.II.D.1 (Department of Economic Affairs).

Methods of financing economic development in under-developed Countries; December 1949; 163 pp.; printed; $1.25; Sales No.: 1949.II.B.4 (Department of Economic Affairs).

Except in a limited number of specified cases mimeographed United Nations documents are not included in the above bibliography. They are, however, available to the general public by annual subscription from the United Nations Secretariat, Lake Success, N.Y.; and to university staffs and students, teachers, libraries and non-governmental organizations, from the United Nations Department of Public Information, Lake Success, N.Y.

Complete sets of United Nations documents may also be consulted at the following centres in Canada:

University of British Columbia (English printed and mimeographed documents).
Provincial Library of Manitoba (English printed and mimeographed documents).
University of Toronto (English printed and mimeographed documents).
Canadian Institute of International Affairs, Toronto (English printed and mimeographed documents).
Library of Parliament, Ottawa (English and French printed documents and English mimeographed documents).
McGill University (English printed and mimeographed documents).
University of Montreal (French printed documents).
Laval University (French printed documents).
Dalhousie University (English printed and mimeographed documents).

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